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DOCUMENTS

OF THE

BOARD OF ALDERMEN,

OF THE

CITY OF NEW YORK.

From No. 1 *to* 87 *inclusive—From May,* 1841, *to May,* 1842.

VOLUME VIII.

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ANNUAL MESSAGE

OF

HIS HONOR THE MAYOR,

ROBERT H. MORRIS,

MAY 31, 1841.

BOARD OF ALDERMEN,

DOCUMENT NO. 1.

NEW YORK:

BRYANT AND BOGGS, PRINTERS.

DOCUMENT No. 1.

BOARD OF ALDERMEN,

MAY 31, 1841.

MAYOR'S OFFICE,
NEW YORK, MAY 31, 1841.

Gentlemen of the Common Council:

I EMBRACE this opportunity to express my gratitude to our constituents, for having elevated me to the honorable and important office I now hold. This demonstration of the people's will, under all the circumstances which led to it, shows us that the electors of this city are ardently attached to a pure elective franchise; that they will sustain those of their servants who honestly exercise their best judgment in the performance of duty, and will defend them against the persecution of official power. It also demonstrates that the combined efforts of sordid, social and political influence, cannot destroy the people's devotion to principle, or prevent their expressing their hatred of corruption. With such con-

stituency the performance of the most arduous duties is a pleasure, because the agent is assured that his honest efforts will be appreciated, and that his labors will be rewarded by the people's approbation.

It is due to the community that I should state at the outset of my official career, the principles by which my conduct shall be governed, and make a full exposition of the measures which, in my judgment, the public welfare demands.

I recommend the strictest economy in the city government. All our measures should be in accordance with the simplicity of our republican institutions, and should be effectuated with the least expense to the citizen, consistent with an efficient administration of the laws, and a scrupulous regard for individual rights.

The city government should be so systematized as to be carried on by the least number of agents compatible with its importance. This will not only ensure efficiency in its operations, but will lessen the chances for peculation. The only legitimate province of a republican government in fiscal concerns, is to collect the revenue necessary for the purposes of the government, and so to apply it as will best subserve the interests of the people. The city, therefore, should, in my opinion, own no property which is not necessary either to be occupied by the departments of the government, or to enable the government to protect the public against imposition, to preserve the health and ensure the safety and comfort of the inhabitants—such are ferries, wharves and slips, and the aqueduct to supply the city with water. The best interests of the people require that the city should not retain the position of landlord, incurring the expenses of keeping property in repair: compensating officers to manage such

property and collect the rents. This increases the number of agents and causes expense not required in the legitimate purposes for which government is instituted. The management of property which is to be rented out, affords inducement and opportunity to the officers of the government to practice gross and injurious favoritism.

This city owns much real estate which is not and never will be required for the purposes of the city government; and some, for example the Long Island farms, situate out of the territorial jurisdiction of the city, the custody of which may some day lead to great inconvenience. All such property should be sold, and the avails applied towards the payment of the city debt. The present depressed prices of real estate will not justify an immediate sale of the property, but it should be rented in such a manner as to enable the city to sell it as soon as real estate shall be restored to its actual value.

The Alms House at Bellevue, is badly calculated for the purposes to which it is appropriated. The city should provide other and more appropriate buildings, and then that property should be sold.

Blackwell's and Randall's Islands, owned by the city, are proper places to erect buildings for the Alms House Department, and also those necessary to accommodate the children from the Long Island farms. These islands will enable you to appropriate land for gardens; such of the inmates of the Alms House as are able to work may be employed in them. This employment will not only add to their health and comfort, but will enable them to contribute towards their support.

The buildings to be erected should be simple and substan-

tial, calculated more for the comfort of the inmates than for the admiration of observers.

The buildings for the Alms House Department should not be, as at present, one united mass, but in several detached buildings, separated by large spaces of land, that the inmates may be classified, so that the virtuous and unfortunate poor may not be compelled to associate with the abandoned, and that their last hours may not be embittered by the presence and conversation of the profligate.

The present is an advantageous period to commence these buildings. Labor and materials are cheap; the employment of those who are now, owing to the depressed state of business, without occupation, will be of great benefit to that unfortunate class of our fellow citizens.

I recommend establishing a work house. There are many indolent, idle persons, who, even when work can be obtained, live by beggary, and who are supported by what their children beg from the sympathy of the public. Under our laws such persons are vagrants, and subject to be, as they frequently are, sent as such by magistrates to the Penitentiary: the same laws authorize the magistrates to send them to a work house. The Penitentiary should not be used as a place of confinement except for acts of moral turpitude and misdemeanors which require exemplary punishments as a warning to the community. We have no intermediate place between the Alms House and the Penitentiary. There are many, who though not worthy of being supported in the Alms House, are still not so vicious as to merit imprisonment in the Penitentiary; for that class a work house is required. There are many persons, if compelled to the choice of working for themselves or for the public, will prefer the

former, and thus become good citizens. It seems to me evident that a work house judiciously used will relieve our streets from the beggars that frequently infest them, and restore to usefulness, numbers who, but for such an establishment, would continue to be what they now are, a mere charge upon the public, living in idleness upon the public bounty.

The protection of the community against the depredations of felons, frequently makes it necessary that innocent persons who happen to be witnesses against arrested rogues and cannot procure bail for their appearance at court, should be imprisoned to ensure to the people the benefit of their testimony. The only place now provided for them, is the prison used for the detention of criminals. It is often the case that the innocent person who has been robbed of all his means, a stranger in the city without friends, is incarcerated within the same walls that contain the robber who despoiled him, and is compelled to live upon the same fare. It also occurs that the felon has influential friends, and by using the very means he stole, procures bail and is at large to commit other depredations upon the community, while the stranger that he robbed is in confinement amongst the most abandoned.

The mere statement of these facts to the representatives of a city so prominent as ours in her charitable institutions, is sufficient to ensure your early attention in affording a remedy for an abuse alike disreputable to the city and offensive to humanity. I suggest that provision be made authorizing the officers of justice to retain such witnesses in the debtors' prison, with comfortable support and accommodation.

There is another class of persons who are imprisoned as witnesses—accomplices in the crimes committed; such wit-

nesses should be confined in the prison for criminals, and not sent amongst the debtors; it will, therefore, be necessary to observe this distinction.

The prison for the detention of criminals is without suitable apartments for the sick. The only places in which the sick can be kept, are the ordinary cells. I advise that you cause rooms to be arranged, remedying this evil.

Our police system is defective. The check which latterly has been given to the commission of crime in this city, is owing to the vigilance and integrity of a portion of the police department, and to the able and efficient administration of his duties by the present District Attorney, and not to the police system. By the existing system of police, the subordinate officers of the department, are only paid for services rendered in the arresting offenders, in restoring stolen property, and in discovering witnesses to establish that offences have been committed. The amount of the officers' compensation depends entirely upon the number of crimes committed, and their greatest legitimate emoluments arise from the rewards given by individuals for the recovery of property that has been stolen. A system which makes the commission of crime a pecuniary benefit to the officers of justice, is calculated not only to increase crime, but also to corrupt the officers. A police system which looks only to the arrest of criminals and to the recovery of stolen property, has the practical effect of educating persons to the commission of offences. My observation while presiding in our criminal courts satisfied me that the present system of police in many instances had such an effect.

A number of shrewd and experienced depredators, such as burglars and counterfeiters, employ other and younger per-

sons to assist them in their operations. These apprentices in crime are made to perform the dangerous portions of the work; if detection follows, they are handed over as sacrifices to offended justice, and the master spirits again select from among the honest young, others whom they educate in like manner to be immolated by the law when necessity requires. In this manner the experienced culprits are kept abroad and the number of depredators increased.

The method of preventing this evil is to establish an efficient preventive police, a police which shall be paid for preventing crime. Such a system would not only protect our citizens from depredation, but would attain a more important and desirable object, it would preserve many of our youth from destruction. This, gentlemen, is an important subject; it not only calls for the judgment of rulers, but should exercise the solicitude of philanthropists.

I therefore solicit the appointment from your bodies, of a Joint Special Committee, with power, to make investigations and thoroughly investigate this subject. I will be happy to co-operate with such Committee, and with the assistance of our District Attorney and Counsel for the Board, I sincerely believe a system can be suggested which will meet your concurrence, receive the approbation of our constituents, and go far towards attaining the desired object.

I have requested from the Comptroller and received a statement of the city debt up to the 1st of May last, from which the following appears:

New York City Stocks of 1820 and '29..	$500,000
Less amount held by the Commissioners of Sinking Fund.....	91,200
Amount carried forward.....	$408,800

Amount brought forward.....		$408,800
Public Building Stock	$515,000	
Less amount held by the Commissioners of Sinking Fund.....	15,000	
		500,000
Fire Loan Stock, a contingent liability.	$882,000	
Less an equal amount of bonds and mortgages owned by the Commissioners of Sinking Fund.....	882,000	
		000,000
Fire Indemnity Stock.....	$358,900	
Less amount held by the Commissioners of Sinking Fund.....	122,700	
		236,200
Floating Debt Stock.....	$350,000	
Less amount held by the Commissioners of Sinking Fund.....	168,210	
		187,790
Corporation Bonds—a contingent debt.	$585,000	
Less an equal amount of liens on real estate.....	585,000	
		000,000
Water Stocks.....	$7,949,377	
Less amount held by the Commissioners of Sinking Fund.....	298,000	
		7,651,377
		$8,978,167

The City Stocks which will be held by the Commissioners of the Sinking Fund at the close of the present fiscal year, will be sufficient to cover, and in effect cancel the stock

of 1820 and '29, and the Public Building Stock. The Fire Loan Stock and Corporation Bonds are contingent liabilities of the city, for which bonds and mortgages, and other real estate liens, are held by the Commissioners of the Sinking Fund, which can be realized and applied to the liquidation of the debt at any time. These, therefore, may be properly considered as no part of the city debt, but rather as a loan of its credit on full and perfect securities.

The Fire Indemnity Stock is, for the most part, payable in twenty-seven years; the provision for its redemption is an annual tax of $25,000 to be levied upon the real and personal estate of the citizens, one-half of which tax would, however, accomplish its redemption in the time fixed.

The Floating Debt Stock is payable at the rate of $50,000 per annum, to meet which, a tax of the like sum is annually to be imposed.

It will be seen, therefore, that the principal of all the stocks here mentioned (and which constitute the entire debt of the city, except that for the construction of the Croton Aqueduct,) is fully provided for, and capable of being redeemed without resort to the revenues of the Sinking Fund after the present year; or, in other words, the proper income of the Sinking Fund, on and after May next, when the Croton water will be introduced, will be applicable, solely, to the cancelling of the Water Stocks.

The water debt, as estimated, will reach $12,000,000. It is computed that the income of the Sinking Fund, as at present constituted, will alone be sufficient to meet and cancel it in forty years. It is to be remembered, too, that the Sinking Fund will, long before that period, be greatly enlarged

from the avails of such real estate as the Corporation may sell from time to time.

The late Act of the Legislature to authorize a further loan on account of the construction of the aqueduct, will render the payment of our stock interest prompt and easy. It is enjoined upon the city to make all deficiency of interest by tax. I suggest that a concurrent ordinance be passed, by which this will be permanently established, and future legislation in reference to it be thus rendered unnecessary.

This city has, for the last two years, been a target at which the Government of the State has aimed shafts of insult and injury. That Government, regardless of the remonstrances of our City Authorities; in opposition to the united efforts of the delegation from this city in the Assembly; and against the will of the people, passed laws violating rights and privileges secured to our citizens by the Charter of the City and by the Constitution of the State. One of these laws seeks to deprive the people of this city of their chartered right to elect a portion of the Judges of their Criminal Courts, and appoints two Judges, at an increased annual expense to the city of four thousand dollars; which Judges, to speak in the most respectful terms of them, are not, in ability or integrity, superior to Judges elected by the people, and do not make the Court more efficient. Another is the Registry Law, adding a qualification to the voter of this city beyond that required of his brother citizen in any other county: a law so odious that even legislative temerity dared not make it applicable to the other districts of the State; imputing, by its provisions, dishonest intentions and practices to our citizens in the exercise of their elective franchise. These imputations were made by a government which at

the same period had appointed to lucrative and important offices persons whose only known political claims were the frauds they had committed in the elections which led to the elevation of the appointing power. All this insult, abuse and injury has been heaped upon this city because its inhabitants could not see integrity and ability where neither existed, and were too honest to praise where censure was merited.

At the late session of the Legislature of the State, our predecessors applied for a law to enable the City Government to raise money to complete the construction of the Croton Aqueduct. A bill for that purpose was prepared and forwarded to Albany. This application of the City Government was immediately seized upon by the authorities at Albany as a favorable opportunity to effect another encroachment upon the powers of our municipal government. An amendment was attached to the bill taking from the City Authorities and giving to the Croton Aqueduct Commissioners the power to direct and lay down the water pipes throughout the city. The officers of the City Government were informed that unless they would consent to receive this innovation, the bill should not become a law. The alternative thus presented to the City of New York, was submission to future encroachments on her rights and powers, or suspending the construction of the Croton Aqueduct, and thus postponing the period when the water should be received into the city, causing loss of interest upon the capital invested in that work, and exposing the city to the payment of damages to the contractors for the non-payment of monies as they should become due. The City Government and the advocates of justice in the Legislature deemed it best (and correctly so)

that the city should submit to pecuniary loss, rather than assent to farther innovations upon her rights and powers. The advocates of the proposed amendments, apprehending, I believe, that injury to them and their friends would arise from a defeat of the bill, yielded that to their own fears which they would not grant to justice, and at the very conclusion of the session of the Legislature passed the law without the objectionable amendments.

This history of the proceedings of the State Government shows us, that while the present individuals are in power, it is dangerous to the chartered rights of this city to apply to them for any laws exclusively applicable to the municipal government of this city. I therefore urge upon you the necessity of passing no ordinance, and of entering into no arrangement or agreement, which will make it necessary to apply for State legislative authority, until our fellow citizens in the country shall elect members to the Legislature of the State, who, disregarding dictation, will appreciate and protect our chartered rights and privileges. For all the ordinary purposes of the City Government, no law from the Legislature of the State is necessary. The general law of the State gives to our Board of Supervisors ample power and authority to levy a tax sufficient to defray all the ordinary and necessary expenses of the City Government. We should confine ourselves exclusively within such expenses.

The citizens of the State of New York are honest, intelligent, imbued with a strong sense of justice, and patriotic. Should their attention individually be called to the wrongs which this city has suffered, I know that they will elect in their several counties members to the Legislature, possessing their own strict integrity and intelligence; who will not

only prevent future injury to this city, but will restore the rights which have been wrested from her. I suggest to your consideration whether it is not due alike to the interests of our constituents, and to the character for integrity of the inhabitants of the State at large, to address the citizens of the State, setting forth all the wrongs that have been committed upon us, and send it to each hamlet and dwelling, that justice may not be withheld for want of knowledge of the facts.

ROBT. H. MORRIS.

DOCUMENT No. 2.

BOARD OF ALDERMEN,

MAY 24, 1841.

The following Act in relation to the Collection of Assessments and Taxes in the City of New York, was ordered to be printed and placed on file.

SAMUEL J. WILLIS, CLERK.

AN ACT

To amend an Act entitled "An Act in relation to the Collection of Assessments and Taxes in the City and County of New York, and for other purposes," passed May 14, 1840.

[Passed May 7, 1841.]

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

§ 1. It shall be the duty of all Commissioners or Assessors authorized to make any estimate and assessment for any improvement, to give notice to the owner or owners, and to the occupant or occupants of all houses and lots, and improved or unimproved lands affected thereby, that they have completed the estimate and assessment: such notice shall be published daily, in at least two of the daily newspapers, for ten days successively, which shall be annually designated

by the Common Council. The notice shall describe the limits embraced by such assessment, and shall contain a request for all persons whose interests may be affected thereby, and who may be opposed to the same, to present their objections in writing to the Chairman of the Commissioners or Assessors, within thirty days from the date of such notice; and if, after examining such objections, the Commissioners or Assessors shall not deem it proper to alter their assessment; or having altered it, there shall still be objections to the same, it shall be their duty to present such objections, with the assessment, to the Court, or persons authorized to confirm the same; but nothing herein contained shall conflict with, or render invalid, the Act entitled "An Act to reduce several laws relating to the City of New York into one Act," passed April 20th, 1839.

§ 2. The second section of the "Act in relation to the collection of assessments and taxes in the City and County of New York, and for other purposes," passed May 18, 1840, is hereby repealed.

§ 3. Nothing contained in the third section of the Act last above mentioned, shall be construed to prevent the Street Commissioner from selling separately any houses and lots, or other lands lying contiguous to each other and belonging to the same owner, which shall have been advertised in one parcel, and he is hereby authorized to sell the same separately, as the same may have been assessed.

§ 4. This Act shall take effect immediately.

State of New York,
Secretary's Office.

I have compared the preceding with an original Act of the Legislature of this State, on file in this office, and do certify that the same is a correct transcript therefrom and of the whole of said original.

ARCHIBALD CAMPBELL,
Deputy Secretary.

Albany, May 12, 1841.

DOCUMENT No. 3.

BOARD OF ALDERMEN,

MAY 31, 1841.

Report of the Comptroller, of Contracts outstanding and not completed May 1st, 1841, with the amount which will be payable thereon. Ordered to be printed and placed on file.

SAMUEL J. WILLIS, CLERK.

COMPTROLLER'S OFFICE,
New York, May 31, 1841.

To the Honorable
The Common Council of the City of New York.

GENTLEMEN—

In compliance with the 13th provision of the 4th section of title 2d, and chapter 5th, of the Revised Ordinances of the Corporation, I respectfully

REPORT

"A statement of all contracts made, directed, or authorized by resolution or ordinance of any previous Common Council,

and not performed, completed and paid; the expense of which, or any part whereof, shall remain to be paid from the City Treasury: and, also, the amount that shall so remain to be paid," on the 1st day of May, 1841.

Two contracts for filling low ground, $2,700 each, as per return of Wm. A. Walters, City Inspector, annexed.

One contract for 200 oil lamp frames, at $1 37½ each, amounting to $275, as per return of Jonas Chandler, Superintendent of Lamps and Gas, annexed.

One contract for six dozen of street hoes at $5 50 per doz., amounting to $33, as per return of William Gage, Superintendent of Streets, annexed.

One contract for steam washing apparatus for the Penitentiary, Blackwell's Island, $930, as per return of John Myer, Superintendent of the Alms House, annexed.

The above contracts in all amount to the sum of $6,638, which remains to be paid from the City Treasury.

Respectfully submitted.

ALFRED A. SMITH, *Comptroller*

ALFRED A. SMITH, ESQ.,
Comptroller.

Sir,—The amount of contract for the Steam Washing Apparatus, is nine hundred and thirty dollars.

The above is for the wash-house at the Penitentiary, Blackwell's Island.

Respectfully.

JOHN MYER, *Superintendent.*

Bellevue, May 20, 1841.

SUPERINTENDENT OF STREETS' OFFICE,
New York, May 15, 1841.

Sir,—In reply to your communication of the 15th instant, I would state, that of uncompleted contracts, I have one with the owners of the second basin from the Battery to fill in, for which I am to receive $225 when completed. I have also given an order to the Canton Company of Boston for six dozen of street hoes, which are cash on their arrival, at $5 50 per dozen. There is due to farmers, pay for some six and eight loads of hay; all of them owe for manure, and the amount will be deducted on settlement of their accounts. There is nothing else that I can call to mind, save the ordinary business of the department.

Yours respectfully.

WILLIAM GAGE,
Superintendent of Streets.

ALFRED A. SMITH, ESQ.
Comptroller.

CITY INSPECTOR'S OFFICE,
May 19, 1841.

Sir,—There are but two contracts for filling low ground for which payment will be required during the ensuing year—one of which is with Peter Smith, amounting to about $2700, for which a requisition has already been made: the other is uncompleted, which will cost a like amount.

Yours respectfully.

WILLIAM A. WALTERS,
City Inspector.

OFFICE OF SUPERINTENDENT OF LAMPS AND GAS,
New York, May 17th, 1841.

Sir,—In reply to your communication of the 15th instant, relative to unfinished contracts connected with the Lamp Department, I hereby inform you that there is but one contract which remains to be fulfilled in which the Corporation is a party—which contract is for 200 oil lamp frames, at $1 37½ each = $275.

Very respectfully yours.

JONAS CHANDLER,

Superintendent of Lamps aud Gas.

DOCUMENT No. 4.

BOARD OF ALDERMEN,

MAY 31, 1841.

Report of the Croton Aqueduct Committee, in compliance with an Ordinance to provide for the Accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on the Croton Aqueduct, in accordance with the ordinance providing for the accountability of Committees, would respectfully

REPORT:

That at a meeting of the Committee, held on the 28th instant, a majority being present, the Aqueduct Commissioner presented the bills for the past month, which were audited by the undersigned, and two requisitions made upon the Comptroller, amounting to $27,127 09, which were for the following:

Workmen's wages	$ 1,638 98
Cartage of pipes, &c.	911 38
Stopcocks and hydrants	3,565 20
Pipes	17,691 02
Digging, filling and paving	3,513 50
Making and repairing tools, &c.	101 90
Office expenses	5 11
	$27,427 09
Deduct for cash advanced	300 00
	$27,127 09

MOSES G. LEONARD,
F. R. LEE.

New York, May 31, 1841.

DOCUMENT No. 5.

BOARD OF ALDERMEN,

MAY 31, 1841.

Report of the Committee on Public Officers and Repairs, in accordance with the Ordinance providing for the accountability of Executive Committees. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on Public Offices and Repairs, in accordance with the Ordinance providing for the accountability of Committees, respectfully

REPORT:

That at a meeting of said Committee, held on the 28th instant, a majority being present, the Superintendent of Buildings presented several bills and accounts which were audited, and a requisition upon the Comptroller for the same was signed by the members of the Committee present,

amount $4346 14. Of this amount there was incurred and charged to the Fire Department—

For workmen's wages.....	$1432 49
Materials and supplies.....	576 98
	$2009 47
To general account of repairs and supplies for workmen's wages.....	1112 52
Materials, &c. for account of repairs and supplies.....	1224 15
	$2336 67
Amounting together as above, to.....	$4346 14

FREDERICK R. LEE,
C. BALIS,
C. B. TIMPSON,

DOCUMENT No. 6.

BOARD OF ALDERMEN,

MAY 31, 1841.

Report of the Committee on Lamps and Gas, in compliance with an Ordinance to provide for the Accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on Lamps and Gas beg leave respectfully to

REPORT:

In compliance with an ordinance relative to Executive and other Committees, that they have authorized a contract to be made by the Superintendent of Lamps and Gas, with Messrs. D. & A. Kingsland, of this city, for ten thousand gallons of summer-strained sperm oil, at the rate of eighty cents per gallon; that being the lowest offer presented to the Committee.

EDWARD S. INNES,
C. BALIS,
C. B. TIMPSON.

DOCUMENT No. 7.

BOARD OF ALDERMEN,

JUNE 14, 1841.

Communication of the Counsel of the Corporation, enclosing the Opinion of the Supreme Court in the Case of Thomas Phœnix, late District Attorney. Ordered to be printed for the use of the members.

SAMUEL J. WILLIS, CLERK.

The undersigned herewith transmits to the Honorable the Board of Aldermen a copy of the opinion of the Supreme Court on the application of Thomas Phœnix, late District Attorney, for a mandamus to compel the payment of $6,312 46 for costs on the collection of fines and recognizances, over and above his salary, and the total amount received by him for fines and forfeited recognizances.

The opinion of the Court is against the right of Mr. Phœnix to recover; and establishes the principle that Mr. Phœnix had no right to make any charge against the county, beyond his salary; and that having received to his own use

the costs in all cases where they were collectable, amounting to nearly $12,000, the county was not answerable for the claim now presented.

The Supreme Court also decide that in a case such as this, where the Board of Supervisors proceed to audit an account, they are not to be controlled by a mandamus, in the exercise of that discretion which legally belongs to them, as to the amount of the allowance.

Respectfully submitted.

P. A. COWDREY,

Counsel of the Corporation.

OPINION.

THE PEOPLE, on the relation of Thomas Phœnix, *vs.* THE BOARD OF SUPERVISORS of the City and County of New York.	Motion for peremptory mandamus on return to alternative writ.

By the Court.—BRONSON, J.—The Supervisors have returned, among other things, that no part of the sum claimed is due; and the relator, instead of traversing, has, in effect, demurred to the return. But he insists that this part of the return should be regarded as a mere inference from the other matters set forth by the Supervisors, and not as the allegation of a distinct substantive fact. Although I am not prepared to say that this argument can be supported, I shall nevertheless give it all the force of truth, for the purpose of considering the other questions which the case presents.

Including salary, the relator has already received eighteen thousand dollars from the County of New York for his three years services. He has also received costs in those cases where costs were collected from the persons sued, probably amounting to several thousand dollars more. Although this may be regarded as an ample compensation for the services rendered, it is still no answer to the present application, if by law he is entitled to the further sum of six thousand dollars, which the writ demands. The examination of his title to that sum may involve two general considerations: *first*, whether the salary fixed by the Common Council was the legal measure of his compensation; and, *Second*, whether the relator's account has not been audited and adjusted pursuant to law, and beyond the power of this Court to control the matter by *mandamus*.

I. Formerly all District Attorneys were compensated by *fees*, and their accounts were audited in the Court of Ex-

chequer and paid from the *State Treasury.* 2 *R. S.* 21; and 1 *Id.*, 415, § 3. By the Act of 1818 the fees were modified, and their accounts were made a charge upon the *county*, to be assessed and collected by the Supervisors as a part of the contingent expenses of the county. *Statutes*, 1818, *p.* 306, *Chap.* 283. Then came the Act of March 16, 1821, which provided that the District Attorney of the County of New York should receive an annual *salary* of three thousand dollars, "*in lieu* of the compensation which the County of New York is now required to pay him;" to which a further clause was added, "that it shall not thereafter [the passing of the Act] be obligatory upon the Supervisors of said County to allow *any of the accounts of the said District Attorney for services thereafter to be rendered;* nor shall it be obligatory upon the said county to pay any such accounts, nor to pay him *any other compensation whatsoever for any services which he may thereafter render.*" *Statutes* 1821, *p.* 91, § 1. This statute plainly covers the whole ground, and the relator must get rid of it before he can make title to any compensation beyond his salary.

The Act of 1821 was so far modified by the Revised Statutes as to authorize the Common Council of the City of New York to fix the salary of the District Attorney at a sum not less than two thousand five hundred, nor more than three thousand five hundred dollars. 1 *R. S.* 383, *s.* 95. This touched nothing but the amount of the salary and the mode of fixing it. As to every thing else, the Act of 1821 remained in full force. But it is said that although the Act was not, in terms, repealed by the general repealing statute, yet that it was, in effect, abrogated by the 10th, 11th and 14th sections of that statute. 2 *R. S.* 779. I have read those sections with attention without being able to perceive that they have any bearing on the question.

But should it be conceded that the Act of 1821 has been repealed, I do not see how it can aid the relator. The Revised Statutes provide, that "the District Attorney of the

City and County of New York shall receive *for his services* an annual salary, not less, &c., to be fixed and paid by the Common Council of that City." 1 *R. S.* 383, *s.* 95. The language is general, including *all* services, and there is nothing to limit or qualify its influence. We may just as well except criminal prosecutions from the operation of this provision, as we can except suits for fines and upon forfeited recognizances. The justice of this remark is the more apparent from the fact that the remaining clause of the same section contains just such a qualification in relation to other District Attorneys as the Counsel wishes to have understood in the clause relating to the District Attorney of New York. "The District Attorney of all the *other* counties in the State shall be paid for their services *in conducting criminal prosecutions*, by their respective counties, &c." The Legislature evidently intended that the salary to be paid by the Common Council should be the only charge upon the County of New York for the services of its District Attorney. The fees which he receives in civil suits he may retain, in addition to the salary; but a failure to collect those fees from the persons sued will not authorize him to charge them to the county. See *The People* vs. *Van Wyck*, 4 *Cow.* 260. The Act of 1839, (*Statutes of* 1839, *p.* 317) which give costs to the New York District Attorney in certain cases, cannot aid the relator, because it was passed since he left the office.

One or two arguments for the relator on this branch of the case remain to be noticed. By the third section of the Act of 1821 fines and forfeited recognizances in New York were to be collected by the *Sheriff* of that County. *Stat.* 1821, *p.* 91. This provision was left in force when the laws were subsequently revised. 2 *R. S.* 487, *s.* 43. But this section was repealed soon after the new code took effect, and three new sections were substituted, which authorized the *District Attorney* to sue for the fines of defaulting jurors. *Stat.* 1830, *p.* 399, *s.* 52. It is said that this statute imposed a new duty upon the District Attorney, and that he is conse-

quently entitled to compensation beyond the amount of his salary. The languagc of the statute is, that the District Attorney *may* proceed to collect the fines by actions of debt, to be brought in the Court of Common Plcas; and that judgments may be entered for the amount of the fine and *costs of suit.* If this must be understood as an imperative provision, it is not quite clear that it imposed a burden upon the District Attorney. He might bc very willing to sue for these fines and take the chance of collecting costs from the persons sued. But should it bc conceded that the statute imposed a new and onerous duty upon the District Attorney, it does not follow that he is entitled to any additional compensation on that account. By charging the Attorney with the duty of suing for fines, without making provision for the payment of costs, the Legislature has, in effect, declared, that the salary of the officer is to be deemed the compensation for these, as well as for other sevices. It is impossible for a salary officer to make title to an increased compensation on the sole ground that a new duty has been cast upon him by the Legislature. There are few Statc Officers, whether executive or judicial, who have not often been charged with new duties; and yet no one has, I presume, ever thought that this gave him a legal title to increased compensation. Whether thc pay shall bc increased with the burden, is a question which addresses itself to the Legislature. The Courts have nothing to do with it.

Another argument is, that the Supervisors, by allowing a part of the relator's account, have admitted his right to these costs, and cannot now resist the payment of the balance which he claims. But the voluntary payment of a part of a demand cannot be construed into an admission of liability for the residue, where, as in this case, such liability was expressly denied.

II. Should it be conceded that the relator is entitled to something beyond his salary, I see no ground on which we

can interfere by mandamus. The Supervisors have not refused to audit the account. They have only exercised their discretion as to the extent of the allowance, and in such a case a mandamus will not lie. *The People* vs. *Supervisors of Albany*, 12 *John.* 414; *Hall* vs. *Supervisors of Oneida*, 19 *Johns.* 259; *The People* vs. *Supervisors of Dutchess*, 9 *Wend.* 503. If the Supervisors have gone too far in disallowing one-third of the amount claimed, the relator has no remedy in this form of proceeding, if he has in any other.

But it is said that the fee bill governed the amount of the relator's compensation, and that the Supervisors had no discretion in the premises. If the relator's costs had been taxed as against the persons sued—a fact which does not appear—I am not prepared to say that that would be conclusive upon the county. But it is unnecessary to decide that question. A portion of the amount rejected by the Supervisors consisted of a charge of two dollars and fifty cents in each case where a fine had been paid without suit. These charges did not depend on the fee bill, and the Supervisors were at liberty to allow as much or as little as they thought proper. Another considerable portion of the account was rejected on the ground that the relator had in many instances brought several suits and charged several bills of costs where there should have been but one. This fact, which is stated in the returns, is admitted in the demurrer, and the Supervisors were right in disallowing the charges to which the objection applies. In the remaining cases, where deductions were made from the account, the Supervisors allowed the several bills of cost, at a less sum in the aggregate than the relator had charged, but it does not appear from the return but that the full amount of taxable costs was allowed in every instance.

I will only add a single remark, covering the whole of this branch of the case; indeed, it is sufficient to dispose of the whole matter. Assuming that the relator is entitled to the full amount of his taxable costs in all the suits which he

brought, there is nothing in this return which will authorize us to say that the Supervisors have fallen short of that measure of justice in the allowance which they made.

In every view of the case we are of opinion that the claim of the relator must fail.

Motion denied.

(A Copy.) GREENE C. BRONSON.

DOCUMENT No. 8.

BOARD OF ALDERMEN,

JUNE 14, 1841.

Communication from the Water Commissioners, in reply to a Preamble and Resolution adopted by the Board of Aldermen. Laid on the table and ordered to be printed for the use of the members.

SAMUEL J. WILLIS, CLERK.

WATER COMMISSIONER'S OFFICE,
New York, June 14, 1841.

To the Honorable the Board of Aldermen:

The Water Commissioners acknowledge the receipt of the Preamble and Resolution, passed by the Board of Aldermen, calling upon the Water Commissioners to report the names of the persons employed by them, the times of their appointment, and their pay, and if the work under their charge is not so far completed as to allow a nominal salary to the

Commissioners, and a reduction of their numbers, or whether the public interest requires their further services, reply that although the State Statutes, organizing this Board, only authorizes the Common Council to call for a "general exhibition of the state of the work, including a full detail of the amount expended, and of the progress made by them in the furtherance of the contemplated object;" yet the Commissioners are ready always to communicate all the facts connected with this office, which can reasonably be asked for.

Mr. Jervis, the Chief Engineer's report hereto annexed, gives in detail, the facts required, relating to the officers of the Engineer Department, and the time of their appointment, by which it will appear that the corps of Engineers has been materially curtailed, that there are no engineers now employed in this department excepting those appointed by our predecessors, and whom we found in office.

This list of the Chief Engineer, with the Clerk appointed by the present Board, (whose salary is one thousand five hundred dollars per annum,) comprises all the officers in this department.

It is not presumed that persons receiving daily wages are embraced in your resolution.

In relation to the progress and state of the work, we remark that the work done the last Spring and that now under progress of being executed, and which will be done by the 1st of December next, will show, (according to the estimates of our Engineers, heretofore furnished the Comptroller and the Common Council,) a greater amount of money expended for work done, than was done or expended in any one year by our predecessors in office.

There are now upwards of 2000 men daily employed on the work north of Murray's Hill, exclusive of those employed in preparing the stone and materials.

The bridge across the Harlaem River, the Reservoirs, the Manhattanville and Clendining Valley works were consi-

dered by our predecessors, among the heaviest and most intricate subjects of the whole work.

In reply to so much of the Preamble and Resolution of the Board of Aldermen, as calls for an opinion from us, as to whether our services as Commissioners might not be dispensed with, or a nominal salary received, we would suggest, that if the Board found no difficulty in asking us this question, we nevertheless (being immediately interested,) find a delicacy in answering it.

In relation to the curtailment of the number of the Commissioners, there is the like difficulty as to our expressing opinions, either as to ourselves or the fitness or appropriateness of a committee of the Common Council performing this duty; but as our numbers and powers are regulated by the State, it is presumed that no action could be had, in these particulars, excepting by the Legislature; and that therefore no injury can arise from our only placing before you the list of the persons employed, the state of the work, and the amount of money to be expended, and leaving your Honorable Body, from the facts communicated, to form an opinion for yourselves.

All which is respectfully reported.

SAMUEL STEVENS,

President of the Board of
Water Commissioners.

REPORT

ON THE

Organization of the Engineer Department

OF THE

CROTON AQUEDUCT.

NEW YORK, JUNE 4, 1841.

To the Honorable the Board of Water Commissioners of the City of New York,

GENTLEMEN—

At the request of your President, I have prepared the following statement of the present organization of the Engineer Department of the Croton Aqueduct. I have not had time to look up the exact date of appointment, but presume the statement will contain an approximation sufficient for the object. There have been some transfers from one division to another, but the time of full employment in the department, without reference to the division, is given. The persons employed as Axemen, have no regular appointment, but are employed by the Resident Engineers as their services are wanted.

	Per Annum.
The Chief Engineer, appointed Oct., 1836, salary	$5000 00
H. Allen, principal Assistant Engineer, appointed March, 1838	3500 00

FIRST DIVISION.

	Per Month.
E. French, Resident Engineer, appointed 1836, salary	$ 150 00
M. O. Davidson, Assistant Engineer, appointed 1836, salary	100 00

	Per Month.
D. Adamson, Inspector, appointed March, 1839, salary	$ 60 00
	Per Day.
J. Ogilby, Axeman, occasionally	1 25

SECOND DIVISION.

	Per Month.
H. T. Anthony, Resident Engineer, appointed 1836, salary	$125 00
S. Sanford, Inspector, appointed March, 1839, salary	60 00
An Axeman occasionally employed, though none during the last month.	

FOURTH DIVISION.

	Per Month
P. Hastie, Resident Engineer, appointed January, 1837, salary	$150 00
F. B. Tower, First Assistant Engineer, appointed summer of 1837, salary	100 00
James Renwick, jun., First Assistant Engineer, appointed winter of 1837, salary	87 50
E. H. Tracy, First Assistant Engineer, appointed March, 1838, salary	100 00
J. E. Henry, First Assistant Engineer, appointed March, 1838, salary	75 00
J. C. Campbell, Second Assistant Engineer, appointed March, 1838, salary	60 00
Wm. Anderson, Second Assistant Engineer, appointed January, 1839, salary	50 00
E. Routon, Second Assistant Engineer, appointed January, 1839, salary	50 00
R. M. Hasbrouck, Rodman, appointed March, 1839, salary	40 00
J. H. Osborn, Rodman, appointed March, 1839, salary	40 00
T. H. Lane, Rodman, appointed March, 1841, salary	40 00
J. Vervalon, Inspector, appointed August, 1839, salary	60 00

	Per Month.
Robert Adams, Inspector, appointed April, 1840, salary	$ 60 00
H. S. Meeks, Inspector, appointed April, 1840, salary	60 00
Gurdon Halsey, Inspector, appointed August, 1840, salary	60 00
George Watson, Inspector, appointed March, 1841, salary	60 00
S. M. Berrian, Inspector, appointed March, 1841, salary	60 00
Benjamin Hacker, Inspector, appointed March, 1841, salary	60 00
T. S. Schramche, Draftsman, appointed February, 1839, salary	75 00
	Per Day.
James Morris, Wm. Brown, and John Lades, are now employed as Axemen, at	1 25

I am requested by your President to state whether this department can be now reduced consistent with the interest of the work. In reply to which, I can only say, that in my opinion, no reduction can be made at this time. On the *First Division*, the work of extending the Croton Dam is difficult and important, requiring much more attention in its supervision than ordinary work of the same amount; and this, with other duties on this Division, will not admit any reduction during the season of laying masonry.

On the *Second Division*, the Resident Engineer and Inspector, are retained for the completion of Section 33, which crosses Mill River. This work, it is expected, will be completed in about two months, when this branch of the department will no longer be required.

On the *Third Division*, there is no Engineer; such attention as is required to supervise the repairs is given by the Resident Engineer of the Fourth Division.

On the *Fourth Division*, the great body of the depart-

ment are now employed. Here it must be observed, a large amount of work is to be done this season, and the principal part is on heavy structures involving much important detail, requiring great care in fully securing the plan of work and its faithful execution; which, together with the duty of preparing the monthly and final estimates will require the most diligent attention of this department. As the work progresses, I shall report on the reductions that may be made from time to time, so as to bring the expenses of this department to the lowest amount that will secure the degree of energy in the supervision which is indispensable to the economical and successful completion of the work.

Respectfully submitted.

JOHN B. JERVIS,

Chief Engineer of the New York Water Works.

DOCUMENT No. 9.

BOARD OF ALDERMEN,

JUNE 14, 1841.

The following Message was received from his Honor the Mayor, and ordered on file.

SAMUEL J. WILLIS, CLERK.

MAYOR'S OFFICE,
NEW YORK, JUNE 14, 1841.

To the Board of Aldermen of the City of New York:

GENTLEMEN—I return to your body the accompanying reports and resolutions and ordinances, viz.: Report of the Street Committee, in favor of flagging, &c., in Seventeenth street, between Irving place and Union place, and resolution. Report of same Committee, in favor of regulating the Fifth avenue, from Twenty-first to Twenty-eighth street, and resolution. Report of same Committee, in favor of paving Ninth street, from Avenue C to Avenue D, and resolution. An ordinance to regulate and pave Washington

street. An ordinance to built a sewer in Morris street. An ordinance for deepening Storm's Basin. An ordinance to pave, &c., southerly sidewalk of Twenty-eighth street, between the Third and Fourth avenues. An ordinance for a well and pump in Twenty-third street.

These were originated in your Board; they have been concurred in by the Board of Assistant Aldermen; and by that body sent to me for my approbation. These direct improvements involving an expenditure of public moneys, or requiring assessments upon citizens, and have been passed without calling or taking the ayes and noes in either branch of the Municipal Legislature. For this omission I am constrained to withhold my approval of them, although there is no objection to the improvements contemplated.

The seventh section of the amended Charter of the City of New York requires, that, "all resolutions and reports of Committees which shall recommend any specific improvement involving the appropriation of public moneys, or taxing or assessing the citizens of the said city, shall be published immediately after the adjournment of the Board, under the authority of the Common Council, in all the newspapers employed by the Corporation; *and whenever a vote is taken in relation thereto, the ayes and noes shall be called and published in the same manner.*"

Although some of the legal tribunals of the State have decided that the omission to take the ayes and noes upon the passage of such reports and resolutions, and ordinances, does not make them void, while others have maintained a contrary doctrine, still the directions contained in the section of the Charter referred to, are obligatory upon the Common Council, and under no circumstances should they be disregarded.

These provisions were intended to protect the interests of the citizens, by ensuring deliberation and integrity in their representatives, upon subjects involving either taxation, assessment, or an appropriation of public moneys. The authors

of the section referred to, wisely determined that the most effectual method to ensure deliberation and honest action on the part of the agent, was to compel him to record and publish his vote; thereby giving to the constitnent knowledge of the agent's acts, and exposing each agent to the animadversion of his constituents, when he voted incorrectly.

These provisions of the Charter, if strictly enforced, cannot but prove beneficial to the citizen. It cannot be denied, that there are individuals who may be elevated to office, so singularly constituted, as to be influenced in their conduct more by the fear of public censure than by an internal conviction of right, who will vote improperly, and even corruptly, if they can do so without detection and exposure.

To protect the public against the acts of such persons, and to inform the constituents of such acts of the representative, the seventh section of the amended Charter was framed. I conceive it to be the duty of all of us, strictly to enforce observance of every requirement of the City Charter, that uniformly correct precedents may be established; and we may avoid all measures which we have not a clear right to effectuate. That community is most scrupulous in its obedience to the laws, whose officers and legislators are strict in their observance of constitutional and legal requirements. Example from those in authority is more important than their adjudications or their precepts. We therefore should not only enforce, but obey the law. The City Charter is a Constitution, which we as agents of the people, are bound to obey strictly, not only in its letter, but its spirit.

ROBT. H. MORRIS.

DOCUMENT No. 10.

BOARD OF ALDERMEN,

JUNE 14, 1841.

Answer of the Comptroller, to a Resolution adopted by the Board of Aldermen, in relation to the Public Property Leased by him. Laid on the table and ordered to be printed for the use of the Members.

SAMUEL J. WILLIS, Clerk.

Comptroller's Office,
New York, June 14, 1841.

To the Honorable the Board of Aldermen:

In answer to the resolution offered by the Alderman of the First ward, asking for a statement of the leases of Corporation property made by the Comptroller, or under his direction, the undersigned respectfully presents the annexed statement. In connexion with it he gives the rental of the same property at the lettings immediately preceding his administration of the office of Comptroller. The leases are all for the year, from May 1st, 1841, to May 1st, 1842.

It will be noticed that the rental of the year 1839 on this

property amounted to $60,343, and that the amount for the current year exceeds that sum by $14,317, or 24 per cent. increase.

This exhibits also a rental of $3,530 on property acquired since 1839. In cases where improvements of a fixed character have been placed upon the premises by the tenants, of a value equal to the rent, no surety is required, as is the case also where the property is re-let to an old tenant.

Respectfully submitted.

ALFRED A. SMITH, *Comptroller.*

Statement

Of the Public Property leased by the Comptroller,

FOR THE YEAR 1841.

Property.	*Lessees.*	*Sureties.*	*Rent,* 1841	*Rent,* 1839
Wharf Dist. 1	John Drinan	Florence Riley .... John McCoy	$ 425	$ 250
" 2	Thomas H. Allaire..	S. A. Cunningham.. John Green	10,550	8,350
" 3	M. Sandford	Enoch Chamberlain John Henry.....	5,700	6250
Duane Street Piers, S.S.	J. B. Nicholson	Barker, Kertland & Cox.....	1,100	
4	Crook and Fowkes.	Charles F. Pack ... Henry Suydam, jun.	7,200	5,350
5	W. C. Taylor	Cyrus Heldecock .. Uriah B. Scribner..	5,400	5800
S.S. Pier, CastleGarden	J. Rabineau.....	George Paulding...	360	
6	Jonathan Nash	John M. Bloodgood James R. Whiting ..	8,850	8,800
7	Jonathan Nash	James R. Whiting .	6,550	4,925
8	Jonathan Nash	James R. Whiting .	4,800	5800
Part of Peck Slip.	Cornelius Vanderbilt	.....	2,500	
10	Wm. C. Taylor....	Hichcock & Subner	7,025	5,000
11	Ellis and Wheat...	Hichcock & Subner	40	80
12	Robert Pettigrew ..	Hichcock & Subner	140	195
East side of Fulton st.Pier	Elijah Peck and James P. Allaire.	Hichcock & Subner	1,800	
Warrenstreet Pier.	Samuel Johnson...	Thos. Powell & Co.	2,150	2,000
Chambers st. Pier.	Jamse B. Nicholson	Alex. P. Fonda....	2150	2,000
Part of Engine House in Beaver street.	Maria E. Betts	.....	200	150
Do. in Roosevelt Street.	Charles G. Ferris ..	.....	20	20
Do. in Mercer street.	I. C. Kam, jun.....	.....	100	
Lot in Forsyth Street. 421	Robert S. Place....	Walter Anderson...	100	75
Do. do. 422	James Paul	.....	100	75
Fort at Hubert Street.	Alfred Barmore....	G. D. Hasbrouck...	2,000	1,625
Lots 1, 9 and 10 Chat. St.	Heir of Mrs. Halstead	.....	2,000	2000
Lot Tryon Row.	Harlaem R. R. Co..	.....	500	
		Carried forward....	$71,760	58,745

Property.	*Leases.*	*Sureties.*	*Rent,* 1841	*Rent,* 1839
		Brought forward ...	$71,760	58,745
Chatham St No. 3.	Lewis Page.....	.....	550	400
No. 6.	Roger Pegg.....	.....	500	400
Gore in Centre, near Tryon Row.	Hugh and Michael Kerrigan	.....	600	300
Gore next to the above.	John Thomas and Wm. B. Marsh..	.....	200	100
Lot in Elm Street.	Margaret Hamilton.	.....	180	180
Com. Lands, Nos. 25 & 26.	William Love	.....	300	170
No. 195.	George Armstrong .	.....	70	50
Lot at Pike Slip.	William Robinson .	.....	500	000
			$74,660	$60,345

The Property mentioned below has been but lately acquired by the Corporation, and principally by the foreclosures of its Fire Loan Bonds and Mortgages.

Bond Street, No. 37.	Mary Southerland..	George C. Allen...	$ 880
Bond Street, No. 39.	M. Picabia.....	Charles Delmonico.	900
Bond Street, No. 41.	M. Ludlow.....	S. V. Huching.....	950
First floor in store c. Liberty & Green st.	James H .Stevens..	John Corning	400
Part of second story.	W. D. Waterman..	.....	200
121st St. and 3d Avenue.	Christian Schroeder	.....	150
122d St. and 3d Avenue.	Thos. Jackson.....	.....	50
			$3,530

DOCUMENT No. 11.

BOARD OF ALDERMEN,

JUNE 14, 1841.

Report of the Committee on Public Offices and Repairs, in accordance with an Ordinance to provide for the Accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on Public Offices and Repairs, in accordance with the ordinance providing for the accountability of Committees, respectfully

REPORT:

That at a meeting of the Committee, held June 10, 1841, a majority being present, the requisition of the Superintendent of Repairs upon the Comptroller, for the payment of sundry bills, amounting to $2273 82 was directed to be paid.

$ 753 73 of which was expended for the Fire Department,
1,520 09 " " for Repairs and Supplies,
viz:

Workmen's wages—Fire Department	$314 95	
Painting and materials, do. do.	438 78	
		$753 73
Workmen's wages—Building Department	$545 01	
Coal do. do.	458 12	
Materials of various kinds	516 96	
		$1,520 09

Respectfully submitted.

FREDERICK R. LEE,
C. BALIS,
C. B. TIMPSON.

DOCUMENT No. 12.

BOARD OF ALDERMEN,

JUNE 14, 1841.

Report of the Committee on the Croton Aqueduct, in accordance with an ordinance to provide for the Accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on the Croton Aqueduct, in accordance with the ordinance providing for the accountability of Executive Committees, respectfully

REPORT:

That at a meeting of the Committee, held June 10, 1841, all being present, the Aqueduct Commissioner presented his requisition on the Comptroller for $19,452 44, which is for the payment of workmen's wages and materials, as follows:

Workmen's wages and carting	$1407 29
Digging and paving	2764 00
Carpenters' work and lumber	269 48
Stopcocks and hydrants	1847 58
Yarn	205 19
Pine wood	58 13
Plugs	35 37
Handles	11 50
Pipes	12,845 97
Office expenses	7 93
	$19,452 44

Also, a requisition in favor of Ellicot and Brothers, for bill of pipes, payable in 5 per Cent. City Bonds at par $4848 43

And at a meeting of the Committee held on the 12th inst. a requisition in favor of Ellicot & Brothers for $2,652 69, payable in 5 per Cent. City Bonds at par, was also passed.

MOSES G. LEONARD,
R. S. WILLIAMS,
F. R. LEE,
HENRY BREVOORT.

DOCUMENT No. 13.

BOARD OF ALDERMEN,

JUNE 21, 1841.

Communication of the Comptroller, in reference to the creation of a further amount of Water Stock, with an Ordinance.

SAMUEL J. WILLIS, CLERK.

COMPTROLLER'S OFFICE,
NEW YORK, JUNE 14, 1841.

To the Honorable the Board of Aldermen:

GENTLEMEN—The Legislature of the State, at its last session, passed a law empowering the Corporation of this City to issue a further amount of stock for the completion of the Croton Aqueduct. This law authorizes the Mayor, Aldermen and Commonalty of the City of New York to raise a further sum, not exceeding three millions five hundred thousand dollars, for the completion of the Croton Aqueduct, by the creation of a stock to be called "The Water Stock of the

City of New York," which shall bear an interest not exceeding six per cent. per annum, and be redeemable at a period not exceeding forty years. The action of the Common Council is, of course, necessary to render this law available for the purposes for which it is intended.

The provisions of this law also authorize the Corporation, in their discretion, to issue temporary obligations, for short periods, bearing an interest not exceeding seven per cent. per annum, and in anticipation of the proceeds to arise from the negociation of the permanent stock authorized by it. A similar provision has been inserted in the laws, passed by the Legislature, authorizing the raising of the means necessary for the further construction of the public works of the State. The condition of the money market, it was conceived, rendered such a provision imperatively necessary.

Until the revulsion, which occurred a few years since, in the financial world, and under which the money market has been embarrassed for some time past, a five per cent. time stock could be negociated at a premium. The first issue of stock, for the construction of the Croton Aqueduct, bore but five per cent. per annum interest, and yet a million of dollars of that stock was disposed of at a premium of eleven ninety-three hundredths per cent., being within a small fraction of twelve per cent. upon the par value of the stock. It is reasonable to suppose that such again will be the condition of financial matters; or, at least, that they will not always remain in their present embarrassed state. Within the past year an evident improvement has taken place in the money market; it has not been sufficient, however, to affect the price of time stocks, though they can now be more readily disposed of at former prices. Money on short loans is abundant, and if trade and commerce are permitted to follow their natural channels, with no undue attempt to force the improvement in the money market, (in which case it will be but unhealthy and temporary,) there can be no question that such improvement will be gradually progressive, and that the period will

shortly arrive when money can be obtained at as low a rate of interest as it ever has been before. With such expectations the State have considered it expedient to allow the issue of temporary obligations, at the present high rate of interest, rather than require the liability to the loss that would necessarily result from the negociation of a long stock at those rates of interest, when there is a reasonable prospect that the time is not far distant when such stocks can be negociated upon much more advantageous terms than they now can.

Of the $8,500,000 heretofore authorized by the Legislature to be raised, for the construction of the Croton Aqueduct, there has been stock issued to the amount of $8,480,013, leaving the sum of $19,987 still undisposed of. The avails of the stock sold amount to the sum of $7,832,814 04.

Of the stock disposed of, $1,000,000 were issued in 1835; $350,000 in 1837; $1,865,030 in 1838; $2,208,700 in 1839; $2,379,539 in 1840, and $676,744 to June 12, 1841, which makes the above mentioned sum of $8,480,013.

The receipts from the stock issued were $1,119,300 in 1835; $350,000 in 1837; $384,530 in 1838; $1,895,024 15 in 1839; $2,105,996 98 in 1840, and $588,112 83 to June 12, 1841, making together the sum of $6,442,963 96. There was also received from the Bank of the State of New York, in 1838, on account of the issue of that year, the sum of $1,072,023 04; $15,375 in 1839; and $401,329 81 in 1840. From this, however, is to be deducted $98,877 77, which amount was returned to the Bank of the State of New York in 1839. This leaves the sum received from the Bank of the State of New York at $1,389,850 08, which, with the amount before stated, say $6,442,963 96, shows the aggregate amount of receipts to be $7,832,814 04, as before mentioned.

A part of the money received from the sale of stock, in 1835, was temporarily placed at interest by the Corporation. There was received by this means the sum of $27,489 44

in 1836; $5,250 in 1837, and $5,397 04 in 1838; making together the sum of $38,136 48.

There was received from the sales of old water pipes $349 27 in 1837; and to the 12th June, 1841, $318 31, amounting together to $667 58. For the rent of land, &c., there has been received the sum of $3,256 72; of which amount $435 were received in 1837; $988 60 in 1839, and $1,833 12 in 1840. There was also received, in 1839, the sum of $224 74, to antedate stock, being the accumulated interest.

The foregoing amounts constitute all the receipts, from every quarter, of which there is any record on the books in this office, on account of the Croton Aqueduct, and together constitute the sum total of $7,875,099 56.

The disbursements on account of the Croton Aqueduct are as follows: There has been charged to the Water Commissioners direct, the sum of $6,385,214 50, of which amount the sum of $6,595 11 was charged previous to 1835; $35,130 26 in 1835; $42,773 36 in 1836; $297,678 56 in 1837; 1,589,879 47 in 1838; $1,961,264 96 in 1839; $1,869,083 78 in 1840, and $582,808 50 to June 12, 1841. These sums have been paid on the requisitions of the Water Commissioners, and amount, as stated above, to the sum of $6,385,214 50.

The cost of water pipes, and the expenses for laying them down, have amounted to $771,113 28. Of this sum $160,740 21 were charged previous to 1835; $53,146 28 in 1835; $25,100 74 in 1836; $45,202 87 in 1837; $24,661 61 in 1838; $68,474 44 in 1839; $249,176 64 in 1840, and $144,610 49 to June 12, 1841.

The interest paid on the Water Stock issued amounts to $937,163 93. There was paid of this amount the sum of $13,472 21 in 1835; $50,000 in 1836; $53,041 in 1837; $111,110 18 in 1838; 206,637 27 in 1839; 306,644, in 1840, and $196,259 27 to June 12, 1841. There has also been

paid, for premiums on specie to pay interest, the sum of $2,831 18. Of this amount $2,088 37 were paid in 1837, and $742 81 in 1838.

The contingent expenses on account of the aqueduct amount to $3,646 39, of which sum $2,945 44 were paid in 1835; $96 in 1836; $89 95 in 1837; $164 in 1838; and $351 in 1840; there has also been expended for the preservation of the Croton Aqueduct, and for quelling riots among the workmen thereon, the force being ordered out by the Mayor, at the request of the Water Commissioners, the sum of $2,674 56, which was paid out in 1840.

These items of expenditure form the aggregate amount of $8,102,643 84, and constitute the sum total of the cost of the aqueduct to this date, so far as the charges appear upon the books at this office.

The foregoing statement presents a condensed view of all the accounts in this office, in relation to the Croton Aqueduct. It will thus be seen, that of the $8,500,000 of stock authorized to be created, there has been issued $8,480,013, and that there remains unissued the sum of $19,987; that the receipts on all accounts amount to $7,875,099 56, and the disbursements to $8,102,643 84. The advance, from the general funds of the City Treasury, consequently, amount to the sum of $227,544 28.

The late period to which the passage of the Water Stock bill was deferred by the State Legislature, renders the early adoption of an ordinance in relation to it of the most urgent necessity. The treasury advance, as before stated, amounts to the sum of $227,544 28. The Contractors on the line of the aqueduct are progressing with all the rapidity in their power, and the amounts to be paid them must necessarily be large, being measured by the quantity of work they perform. A very considerable amount will be required to meet the contracts for mains, &c. illegally made by the Water Commissioners, but which, by the provisions of the Water Stock

Law, as passed by the Legislature, are to be assumed by the Corporation. This is the season most favorable for the laying of water pipes. The interests of the community require that this portion of the work should be proceeded in with all practicable speed, that as large an income as possible may be derived from the sale of water immediately after its introduction into the city. The Croton Aqueduct Committee will, doubtless, have as great a number of pipes laid during the present season, as is by any means possible, and if so it will need no inconsiderable sum to meet the necessary cost of pipe and the expenses for laying them down.

The items of expenditure thus enumerated will create a large demand upon the city finances, and will require that the necessary measures be speedily taken to ensure, at a reasonable rate, the amount of means necessary to meet the claims that will arise under them. It has been customary for the Common Council to pass an ordinance to complete the legal creation of the loan, and at the same time to empower the Finance Committees of the two Boards to avail themselves of the most favorable period for the negociation of the stock. The agents of the Corporation are thus placed on an equal footing with the capitalists with whom they may have to negociate for loans, and in case of advantageous offers they are enabled to give an immediate and decisive answer, which is of vital importance in all large financial transactions, when the least delay, where prompt offers are made, frequently produces, in consequence of the sudden and fitful changes in the money market of this city, a failure of the negociation. The success that has recently attended the City Stock transactions, as compared with others during the same period, induces the undersigned to suppose that the Common Council can have no cause for wishing a change in the mode they have heretofore adopted for the negociation of their stocks, nor does he think that a change would, in any respect, be desirable. He has prepared an ordinance, which is an-

nexed, and which is in conformity with the State law, and with the ordinances recently adopted by the Common Council. It has been submitted to the consideration of the Finance Committee, who have examined the subject, and, as he supposes, are prepared to act in relation to it.

Respectfully submitted.

ALFRED A. SMITH,
Comptroller.

A LAW.

In addition to the law, "To instruct the Water Commissioners to proceed in the work of supplying the City of New York with water," and to create a public fund or stock to be called "The Water Stock of the City of New York," for the expenses of the said work and to complete the same.

The Mayor, Aldermen and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

§ 1. An additional stock or fund to be called "The Water Stock of the City of New York," shall be created for a loan of three millions five hundred thousand dollars, which shall bear an interest of not exceeding six per cent. per annum, payable quarterly, and shall be redeemable at such periods, not exceeding forty years, as may be determined by the Finance Committees.

§ 2. The certificates of the said stock shall be issued in such amounts, not less than one hundred dollars in each certificate, and in such manner and form as may be decided upon by the Finance Committee, to be most expedient for the interest of the city.

§ 3. It shall be lawful for the Comptroller, by and with the consent of the Finance Committees of both Boards, to issue the temporary obligations of the city, in such sums as they shall deem proper, not under two hundred and fifty dollars each, and therein expressed to be transferable only on the books of the office of the Comptroller of said city, by the holder thereof in person, or his attorney, duly authorized in writing, for short periods, bearing an interest not exceeding seven per cent. per annum, and in anticipation of the

proceeds to arise from the negociation of the permanent stock authorized by this law; the amount of such temporary obligation not to exceed two millions of dollars.

§ 4. That the Comptroller be authorized by and with the consent of the Finance Committees of both Boards, to meet the requisition upon the Treasury for supplying the City of New York with pure and wholesome water, to sell from time to time, and in such sums as they may deem advisable, the stock or temporary obligations of the city, authorized and created by this law, upon such terms and in such manner as they may deem most expedient, and that he report the amount of such sales with the price obtained therefor, quarterly, to the Common Council.

§ 5. The moneys to be raised by virtue of this law, shall be applied and expended to and for the purpose of supplying the city with pure and wholesome water, according to the provisions of the law hereby amended, and no part of the fund created by this law, or any other fund raised for the purpose of constructing or completing the Croton Aqueduct, and the works connected therewith, and distributing the water throughout the city, shall be diverted from such object.

§ 6. The provisions of the ninth section of the law to which this is an addition, is applicable in all respects to this law.

§ 7. It shall be the duty of the Comptroller to estimate and report to the Board of Supervisors of the City and County of New York, at their annual meeting, the amount necessary to be raised by tax, on the estates real and personal of the freeholders and inhabitants of and situated within the said city, and to be collected, to defray the deficiency of interest upon the Water Stock of the City of New York, such money to be assessed and collected in the same manner as now provided by law for the assessment and collection of taxes in the said city.

DOCUMENT No. 14.

BOARD OF ALDERMEN,

JUNE 28, 1841.

Report of the Committee on Charity and the Alms House, in regard to the better regulation of the Ferry to Blackwell's Island. Laid on the table and ordered to be printed.

SAMUEL J. WILLIS, CLERK.

The Committee on Charity and the Alms House, to whom was referred a report from a majority of the former Committee, together with the report and resolutions from the Board of Assistant Aldermen, on the communication from the Commissioners of the Alms House, recommending the purchase of property at the ferry to Blackwell's Island, and the grading of Sixty-first street, respectfully

REPORT:

That they have investigated the subject referred to them with great care, and divested from all personal feeling; that

they are convinced of the existence of all the evils set forth by the Commissioners of the Alms House, and of the propriety and necessity of adopting the measures recommended by them, and that they think it the duty of the Common Council to support them in all their laudable exertions to improve the discipline and moral condition of the prisoners, and also to provide the necessary comforts for the sick who are so unfortunate as to be thrown upon the public charity for support.

The report from the Board of Assistant Aldermen was founded on the unanimous recommendation of the Commissioners of the Alms House : it was drawn up after deliberate inquiry and reflection, and was adopted by the unanimous vote of that Board.

Your Committee also report for the further information of this Board, that the property proposed to be given to Mr. Towle, in exchange, is not the property of his choice, but such as has been thought most advisable to be disposed of by the city. A part, only, of the store, (we understand that this property has since been rented for four hundred dollars,) at the corner of Green and Liberty streets belongs to the Corporation. It is not now in a rentable condition, nor can it be applied to any public use, and, in order to make it available to the city, it will be necessary for the Common Council to dispose of the public interest therein, or to build up a partition wall, and to let it out in separate rooms to occupants ; and your Committee do not believe it is the policy, or for the interest of the Corporation to become landlords, when it can be avoided, or to hold property which is not for the public use.

The water lot quit rents have, heretofore, been attended with small pecuniary advantage to the city, arising from the difficulty and expense incidental to their collection.

And your Committee beg leave further to report, that the objections made by the majority of the former Committee against the disposal of the said store and water lot quit rents,

are without foundation, and that the faith of the Corporation may be preserved inviolate, notwithstanding that the exchange in question receive the sanction and approval of this Board. The "Fire Loan Stock" bears an interest of five per cent. whilst the bonds and mortgages received therefor are drawing an interest of seven per cent. and there is already a surplus of interest added to this fund much larger than to cover the said property, and this surplus is constantly accumulating, and only a part of the water lot quit rents are appropriated to the Sinking Fund. Your Committee, therefore, say that the property of the Corporation so offered, forms but a redundant part of the security of the Sinking Fund and Fire Loan Stock, and that the security which will remain, after the completion of the contemplated exchange, is ample and sufficient to meet all the contingencies that may arise. Besides, your Committee will add, that the property to be received by the contemplated exchange, is a property that will be constantly increasing in value, and may be substituted by the Corporation, if it should, at any time, be deemed necessary, as a security in lieu of the property to be given; which, whilst it will furnish an equal, if not a better security, will, at the same time, procure for the city, property of a more available public use and advantage.

Your Committee further report, that whilst they believe in the acquiescence of the majority of the former Committee, that some additional accommodations at this ferry are much needed, they cannot for a moment listen to the suggestions therein contained, *that the Corporation have it in their power to make such as would be sufficient, at the foot of the street and in the avenue, without interfering with the rights of any one!*

The appropriating of the lands of private individuals to public purposes, has been justified by the necessity of the case, in order to open streets and avenues within the limits of the city; but for no other public purpose can such appropriation be *lawfully* made.

A right of way through these streets and avenues is the only privilege belonging to, or ever claimed, *heretofore*, by the public, excepting that the Commissioners, in 1836, feeling the necessity of having a House of Detention and stable at the foot of this street, for the purposes now sought, claimed the right, and did commence the foundation of a building in Sixty-first street, near the river; but upon the remonstrance of the inhabitants against a measure so illegal and invasive of the just rights of private citizens, the project was abandoned.

Such a measure, carried into effect by this body, would be universally condemned by the voice of the people, as taking from the citizen his property for one avowed purpose, and *unlawfully* applying it to another, and thus depriving the public of a free and unincumbered right of way, and the owners of the land upon the street and avenue, of their privilege of rendering their property, so situated, productive and available.

Your Committee therefore, with this view of the subject, cannot assent to an act so illegal and manifestly unjust; nor do your Committee believe that such an act could be justified by any motives of economy to the city. The legality and equity of any measure to be taken on the part of this body must ever first be consulted.

In regard to the suggestions contained in the report made by the majority of the former Committee, "that if a proper system of discipline over the subordinate officers attached to the Alms House Department, or an efficient police was maintained on Blackwell's Island, most of the evils complained of by the Commissioners would be remedied; and by making suitable arrangements of the manner and time of transporting patients or prisoners to the island, the causes of complaint as to their exposure might be easily obviated," your Committee do not deem it necessary to allude to them otherwise than to remark, that these are amongst the evils complained of by the Commissioners, and to correct which they are now soliciting the aid and co-operation of the Common

Council; but that the majority of the former Committee have not recommended any practical means of correcting the same, except that in another part of their report, they agree in the propriety of obtaining possession of a small piece or parcel of land at the ferry, for the purposes herein recommended, if to be procured on proper terms.

This acquiescence, however, contradicts, and is at variance with the suggestions to which your Committee have alluded; and furnishes, in itself, an anwer to the suggestions so made.

It seems, then, to be generally conceded, that the Corporation should become the owners of sufficient property at the ferry in question, to answer the public wants; and your Committee believe that the quantity herein recommended, to be obtained by exchange, is no more than is required for public purposes; and it forms only a part of what is recommended by the Commissioners of the Alms House.

Your Committee, in conclusion, will remark, that they feel convinced of the propriety and necessity of carrying the proposed exchange into effect, which is now offered on favorable terms; and that they have guarded the city against any extortion, by providing that the appraisers to be appointed shall be sworn faithfully to perform the duties and trust confided to them. And whilst it seems to be the true policy of the city to concentrate the principal public institutions on Blackwell's Island, the Corporation should lose no time in securing the complete control of a point of access so important as the one in question. And your Committee express it as their belief and opinion, that if the present opportunity be lost, the Corporation may feel itself constrained to purchase it at a future time, upon terms much less favorable and advantageous to the public.

Your Committee therefore recommend a concurrence in the above mentioned report and resolutions, as adopted by the Board of Assistant Aldermen.

SAMUEL BRADHURST,
DAVID VANDERVOORT.

DOCUMENT No. 15.

BOARD OF ALDERMEN,

JUNE 28, 1841.

Report of the Superintendent of the Alms House, which was ordered on file.

SAMUEL J. WILLIS, CLERK.

ANNUAL REPORT,

Of the Superintendent of the Alms House of the City of New York, showing the number of paupers who have been admitted into the Alms House, from the first day of May, 1840, (including those at the time in the house) to the first day of May, 1841; the number discharged from, and who died in the house, during the same period; and likewise, the number of paupers now in the house, designating their sexes; the number of prisoners and vagrants in the Bridewell and Penitentiary; and the number of patients and lunatics in the Alms House Hospital and Lunatic Asylum; with an account of donations distributed to "out door poor" by the Commissioners during the time aforesaid.

Paupers in, and admitted into, the Alms House, from the 1st of May, 1840, to the 1st of May, 1841..... 6049
Paupers discharged during the same period.... 2785
Paupers eloped during the same period..... 84
Paupers died during the same period..... 599

Total discharged, eloped, and died..... 3468

Total remaining in Alms House..... 2581
Number, including 236 hospital patients, 297 lunatics, and 134 children at nurse, on the 1st day of May, 1841, to wit, men 879, women 807, boys 634, girls 261.

Places of Nativity of the Total Number remaining and received during the year, viz.:

City of New York.	*State of New York.*	*United States.*	*England.*	*Ireland.*	*Scotland.*	*Germany.*	*France.*	*Sweden.*	*Spain.*	*West Indies.*	*Prussia.*	*Italy.*	*South America.*	*Africa.*	*Poland.*	*Switzerland.*	*Denmark.*	*Wales.*	*Portugal.*	*Unknown.*
2255	156	536	545	1844	149	330	37	2	4	15	5	7	2	6	6	17	3	35	7	38

Number of prisoners and vagrants in the City Prison or Bridewell 1st May, 1841 156
Number of prisoners and vagrants in the Penitentiary 1st May, 1841..... 791

Cash—donations to out-door poor during the last 12 months	$8,482 46
Wood distributed to out-door poor during the last 12 months, including carting, &c. 4186 loads..	7,819 21
Coal distributed to out-door poor during the last 12 months, including carting, &c. 359 tons....	1,938 60
Potatoes distributed to out-door poor during the last 12 months, including carting, &c. 8514 bushels.....	3,293 04
	$21,533 31

JOHN MYER, *Superintendent.*

The Superintendent of the Alms House respectfully communicates to the Common Council (in addition to his "annual report") that the following named articles have been raised and manufactured by the paupers for the Alms House during the past year, from May 1st, 1840, to May 1st, 1841:

FACTORY.

Work done.

25,411 yards shirtings
6,863 " chambray
1,848 " sheeting
4,800 " gray satinet
4,262 " striped satinet
334 " rag carpet
983 lbs. stocking yarn

Men employed.

15 weavers
2 spinners
8 wheel turners
2 boys at carding machine
1 man at carding machine
1 Superintendent, salary $400 per annum

Shoe Shop.

798 pair men's shoes
1,072 " women's shoes
106 " children's shoes
1,527 " repaired

Tailor's Shop.

397 men's jackets
1,003 pair men's trowsers
6 men's coats
935 boy's jackets
623 pair boy's pants
850 suits repaired

Tin Ware.

2,128 tin pans, 1,098 cups, 23 watering pots, spittoons, scoops and pails
54 dippers, 95 wash basins, 73 lamp and dust pans
48 tin cans, coffee pots, lanterns, lamp fillers
10 wash kettles, iron boilers, 17 ladles, 18 close stool pans
44 saucepans, candlestick, coal sifters
30 large tin pans and skimmers

Bake House.

11 men and 2 laborers, who have baked, on an average, 18 barrels of flour per day

Produce raised on Long Island in 1840.

Peas	250	bushels
Beans	200	"
Spinage	200	"
Radishes (early)	100	"
Radishes (late)	200	"
Beets	150	"
Parsnips	150	"
Carrots	100	"
Onions	100	"
Hay (fresh)	45	tons
Hay (salt)	20	"
Cabbage (early)	2,000	heads
Cabbage (late)	10,000	"
Turnips	2,500	bushels
Turnips, Ruta Baga	125	"
Potatoes	3,400	"
Corn (unshelled)	600	"
Milk, per day	50	quarts
Pork raised	4,000	lbs.
Brooms (the corn manufactured)	150	dozen
Baskets	30	

Number of persons employed at Long Island Farms.

Men..... 6 farming
Women..... 3 doing necessary labor about house
Boys ..... 5 farming

Produce raised at Bellevue.

375 bushels turnips
675 " potatoes
12 tons hay
1,350 heads cabbage
20 bushels carrots
50 " beets
30 " parsnips
233 brooms

Clothing manufactured at L. I. Nurseries.

261 shirts
696 pair pantalets
889 chemises
661 aprons
115 bonnets
681 frocks
500 eye towels, or handkerchiefs
50 table cloths
150 pair stockings
50 towels
206 night gowns
36 curtains
100 spreads
261 petticoats

Assistant Matron's Department, Bellevue.

3,139 men's shirts
2,617 boys' "
2,713 women's chemises
1,234 girls' "

1,155 women's frocks
547 girls' "
1,090 women's petticoats
470 girls' "
963 short gowns
2,993 sheets
2,731 pillow cases
2,848 bed ticks
2,059 pillow ticks
1,784 shrouds
828 bed spreads
1,174 pair of stockings
1,183 aprons
1,042 infant shirts and slips
703 bonnets
1,054 caps
1,034 handkerchiefs
1,208 infant petticoats
374 diaper towels

Carpenter's Shop.

1,825 coffins
150 bedsteads
200 small benches
130 wash boards
75 cots
1 large wardrobe for middle house
1 book case for office
320 feet cornice gutters
500 feet light fence for hospital
1 cook house for Penitentiary, and wood house.
2 cook houses, 2 bathing houses, and 2 sand boxes for hospital
2 privies, 18 feet by 7
125 feet plank gutter for drain under ground in hospital, dead house roof raised and 5 windows added, and sundry jobs about the building continually.

Wheelwright's Work.

1 set coach wheels
1 box cart, new, except the wheels
15 wheelbarrows
Blacksmith's jobbing

Men employed as Gardeners, &c. at Bellevue.

15 men gardeners and farmers.
2 " hog feeders
2 " stables
3 " cartmen
2 " ox drivers
4 " at general work
6 " wood yard
4 " at cook house
3 " eating kitchen

Men employed in Alms House, Bellevue.

Orderlies and assistants	42
Gate keepers	8
Tailors	9
Shoemakers	20
Coopers	2
Boatmen	12
Ropewalks and flax dressing	3
Masons	2
Scrub house	2
Soap house	3
Wash house	5
Middle house kitchen	4
Store	1
Whitewashers	4
Lamplighters	2
Schoolmaster	1
Scavengers	3
Runners and newsmen	2
Barbers	4

Men and Women employed in Hospital.

4 men in kitchen
4 " sweeping yards
4 " hog pen
2 women, nurses
12 men, orderlies or nurses
1 clerk
2 assistant apothecaries
2 men, levelling ground

Average number of Lunatics, Patients employed variously at the Asylum, Blackwell's Island.

MALES.

Gardening	6	
Force pumps	16	
Halls	3	
Boats	4	
Kitchen, errands, &c.	9	
Total		— 38

FEMALES.

Sewing	25	
Halls	13	
Kitchens	4	
Total		— 42
Grand total		80

The above are employed from 2 to 8 hours per day.

JOHN MYER, *Superintendent.*

RETURN

OF THE

ENGINES, HOOK & LADDER, HOSE,

AND HYDRANT COMPANIES;

Their Apparatus, Places of Deposite, Condition, &c. together with the names of the Engineers and Foremen.

ENGINEERS' NAMES.

Cornelius V. Anderson, *Chief Engineer.* | **Zophar Mills, William A. Freeborn, John S. Kenyon,** | **John T. Rollins, George H. Ramppen, W. Wells Wilson,** | **John B. Miller, George Kerr, Alfred Carson.**

CONDITION OF HOUSE.	No. of Engine.	Calibre.	When Built.	When Re-built.	PRESENT CONDITION OF ENGINE.	Length of Hose, Good.	Length of Hose, Ordinary.	Total number of feet.	Number of Men.	FOREMEN'S NAMES.	PLACES OF DEPOSITE.
Good Order	1	6½	1827	1838	Good Order	400		400	19	Joseph B. Winans	Clinton Square, foot of Duane Street.
do	2	6½	1829	1838	do		400	400	20	Franklin Loughlin	Eldridge Street, near Division Stieet.
do	3	6½	1830	1840	do	400		400	16	Henry Wiseburn	Orange Street, near Prince Street.
do	4	Hose Cart.			do	400	400	400	9	Nicholas Tiebout	North Church, Ann Street.
do	5	6½	1822	1840	do	400		400	20	Henry Young	North Church, Fulton Street.
do	6	6½		1839	do	400		400	24	William H. Baker	Reade Street, near West Broadway.
Indifferent	7	6½	1830	1838	Indifferent	400		400	14	Robert M Johnson	Rose Street, near Frankfort Street.
Good Order	8	6½	1800	1837	Good Order	400		400	22	Charles J Harris	Ludlow Street, near Broome Street.
do	9	Hose Cart.			do	500		500	17	John S. Winthrop	Mercer Street, near Bleecker Street.
do	10	6½	1824	1836	do	400		400	10	William Macrink	Third Street, near the Bowery
do	11	6½	1833		do		400	400	16	Abraham B. Purdy	Wooster Street, near Prince Street.
do	12	6½	1824	1838	do	400		400	14		William Street, near Duane Street.
do	13	6½	1829	1838	do		400	400	23	William Williamson	Duane Street, near William Street.
Indifferent	14	6½	1832	1838	do		400	400	22	Henry B. Venn	Corner Vesey and Church Streets.
Good Order	15	6½	1841	1840	do	400		400	26	William Freeland	Christie Street, near Walker Street.
do	16	6½	1825	1838	do					Company Disbanded.	
do	17	6½	1824	1837	Indifferent		400	400	13	Edmund Fowell	Walnut Street, near Grand Street.
do	18	6½	1825	1838	do		400	400	21	Henry Wilson	Amity Street, near Sixth Avenue.
do	19	6½	1824	1835	Good Order	400		400	23	David S. Jacobus	Elizabeth Street, near Grand Street.
do	20	6½	1832	1836	Indifferent	200	200	400	18	William Foster	Cedar Street, near Greenwich Street.
do	21	6½	1835		Good Order	200	200	400	14	Michael Rupp	Lumber Street, near Cedar Street.
do	22	10	1840		do	400		400	42	Samuel Waddell	Chambers Street, near Centre Street.
Indifferent	23	6½	1833	1837	do	200	200	400	12	George McKinley	Anthony Street, near Broadway.
Good Order	24	6½	1818		do	200	200	400	12	Edward Berrian	Seventeenth Street, near Ninth Avenue.
do	25	6½	1813	1835	do	200	300	400	22	George W Varian	House of Refuge.
do	26	6½	1824	1836	do	400		400	19	Elijah C King	Madison Street, near Rutgers Street.
do	27	6½	1815	1835	do	400		400	24	John Williamson	Watts Street, near Greenwich Street.
	28									Company Disbanded	
do	29	6½	1824	1836	do		400	400	20	Thomas Lawrence	Horatio Street, near the Ninth Avenue.
do	30	6½	1826	1835	Indifferent	400		400	14	John Teele	Christie Street, near Stanton Street.
do	31	6½	1823	1839	Good Order	400		400	25	Archibald Noble	West Broadway, near Beach Street.
do	32	6½	1838		do	400		400	21	William H Cobanks	Hester Street, near Allen Street.
do	33	6½	1826	1840	do	400		400	34	James A Buckridge	Gouverneur Street, near Henry Street.
do	34	6½	1823	1836	do	200	200	400	16	David C. Broderick	Christopher Street, near Hudson Street.
Indifferent	35	6½	1827	1832	do	200	200	400	18	Samuel L. Liscombe	Harlaem
Good Order	36	6½	1836		Re-building	400		400	23	Nathaniel Washburn	Varick Street, near Vandam Street.
do	37	6½	1828		do	400		400	19	John H. Hoffman	Delancey Street, near Allen Street.
Indifferent	38	9			Good Order	400		400	62	William J Van Duser	Nassau Street, near Cedar Street.
Good Order	39	6½	1837		Indifferent	400		400	19	Charles Gardiner	Doyer Street, near Chatham Square.
do	40	6½	1822		Rebuilding	200	200	400	29	John Primrose	Mulberry Street, near Broome Street.
do	41	6½	1829	1841	Good Order	400		400	23	John Brown	Corner Delancey and Attorney Streets.
Indifferent	42	9			do	400		400	39	James Kelly	Beaver Street, near William Street.
do	43	6½	1827	1835	Indifferent	300	200	500	22	John McArthur	Manhattanville
Good Order	44	6½	1828	1839	Good Order	200	200	400	19	Nicholas Fisher	Houston Street, near Lewis Street.
do	45	6½	1837		do	400		400	21	Rufus Prime	Yorkville.
do	46	6½	1835		Indifferent	400		400	17	William Tapper	
do	47	6½	1806		do	400		400	13	Abner Mills	Tenth Street, near Avenue D.
do	48	6½	1827	1838	Good Order	200	200	400	13	William W. Lawrance	Thirteenth Street, near Sixth Avenue.
do	49	6½	1826		do	400		400	13	Warren Brady	Harlaem.
do	50	6½	1840		do	400		400	20	William Holmes	Bloomingdale Road, Harsenville.

HOSE COMPANIES.

					Condition of Hose Carriage.						
Good Order	1		1834	1838	Good Order	500	500	1000	22	Benjamin R. Robson	Duane Street, near William Street.
do	2		1838		do	800		800	11	George F. Schaffer	William Stieet, near Duane Street.
do	3		1838		do	1000		1000	7	Peter Dubois	Centre Street, near Hester Street.
do	4		1838		do	800		800	8	Joseph Mead	Corner Delancey and Attorney Street.
do	5		1835		do	1000		1000	20	Reuben Mount	Mercer Street, near Prince (Firemen's Hall)
do	6		1836	1839	do		1200	1200	17	John G. Kent	Gouverneur Street, near Henry Street.
do	7		1838		do	800		800	11	Elias Haviland	Christie Street, near Stanton Street.
do	8		1836	1838	do	600	600	1200	20	Henry B. Hinsdale	Cedar Street, near Nassau Street.
do	9		1837		do	500	500	1000	21	Edward Brown	Mulberry Street, near Broome Street.
do	10		1838		do	500	500	1000	20	Walter T Chapman	Rosevelt Street, near Cherry Street.
do	11		1838		do	1000		1000	18	Wilson Forman	Jefferson Market, Sixth Avenue.
do	12		1837		do	1200		1200	22	Stephen Kane	Seventeenth Street, near the Ninth Avenue
do	13		1838		do	500	500	1000	10	Augustus C. Weed	Eldridge Street, near Division Street.
do	14		1838		do		1000	1000	20	Samuel Parker	Elizabeth Street, near Bayard Street.
do	15		1837		do		1200	1200	12	William H. Ellis	Essex Market, Grand Street
do	16		1838		do	800	400	1200	35	Charles W. Cotheal	Beaver Street, near Broad Street.
do	17		1836	1838	do	1200		1200	6	William A Romaine	Fifth Street, near Second Avenue.
do	18		1838		do	1200		1200	11	William Durant	Franklin Market, Old Slip
do	19		1836		do	500	500	1000	19	Asher Morris	Courtlandt Alley, near Canal Street.
do second ward	20		1838		do	600	600	1200	21	Gustavus A. Rollins	John Street, near Dutch Street.
do	21		1838		do	500	300	800	24	Francis Waterbury	Henry Street, near Catharine Street.
do	22		1838		do	1000		1000	9	James Mason	Hestor Street, near Allen Street.
do	23		1840		do	500	500	1000	17	J. P. Williams	Charles Street, near Hudson Street.
do eighth ward	24		1839		do	600	400	1000	12	John F Van Riper	Renwick Street, near Spring Street
No location	25		No Carriage.							John Ryker, jun.	No Location.
Good Order	26		1840		Good Order	700		700	12	Henry F. Cox	
do third ward	27		1836		Indifferent	500	500	1000	14	Samuel S. Wyckoff	Corner Vesey and Church Street.
do fifth district	28		1840		do	600		600	19	George T. Hope	Chambers Street, near Centre Street.
do	30		1840		Good Order		350	350	11	James Stuart	Bowery, near Thirteenth Street.
do	33		1840		do	1000		1000	12	John P Teale	Sullivan, near Prince Street
do	36		1840		Indifferent		300	300	8	Edwin Nichols	Henry Street, near Catharine Street.
do	42		1840		do	600		600	12	Isaac Edwards	Third Street, near the Bowery.
do	43		1840		do	800		800	15	William Taylor, jun.	Willett Street, near Rivington street.
do	44		1840		do	800		800	11	Andrew Storms	Willett Street, near Rivington Street.

HYDRANT COMPANIES.

	The Hydrant Company		John A. Blackledge.
2	Do	do	Allen R. Jollie.
3	Do	do	Daniel Coger.

HOOK AND LADDER COMPANIES.

Good Order	1	6 Ladders and 7 Hooks				23	Hopkins P. Hall	Beaver Street, near Broad Street.
do	2	6 do	6 do				No Company	Chambers Street, near Centre Street.
do	3	6 do	7 do			14	Robert L. Williams	Horatio Street, near Ninth Avenue.
do	4	6 do	7 do			13	Sidney B. Alley	Eldridge Street, near Walker Street.
do	5	5 do	6 do			15	John P. Lacour	Corner Delancey and Attorney Streets.
do	6	6 do	6 do			7	John R. Hopper	Mercer, near Prince Street (Firemen's Hall)
do	7	6 do	7 do					Harlaem
do	10	6 do	7 do			11	Robert Kilpatrick	Yorkville.

BRYANT & BOGGS, PRINTERS, 27 PINE STREET.

DOCUMENT No. 16.

BOARD OF ALDERMEN,

JULY 7, 1841.

Annual Report of the Chief Engineer. Ordered printed and referred to the Committee on Fire and Water.

SAMUEL J. WILLIS, CLERK.

To the Honorable the Common Council of the City of New York:

The Chief Engineer of the Fire Department respectfully

REPORTS:

That in connection with the gentlemen composing the Joint Committee on Fire and Water, he has visited the various places of deposite for the fire apparatus, and has examined into the condition of the same: he herewith submits the result of the examination, together with his annual return of the names, occupation, and residence of each member of the department. By a reference to the report it will be seen that there are, (including two at the New Alms House,) thirty-six engines in good order, and twelve in indifferent order; twenty-seven hose carriages in good order, and six in indifferent order;

with twenty-five thousand five hundred and fifty feet of hose; seven hook and ladder trucks, with forty-seven ladders and fifty-three hooks. Thirty-two thousand eight hundred feet of hose in good order, and sixteen thousand six hundred and fifty feet of hose in ordinary, making in the whole, forty-nine thousand four hundred and fifty feet. There are at present in the department forty-eight engine companies, thirty-four hose companies, seven hook and ladder companies, and three hydrant companies, and all, except one, (Hose Company No. 25) have apparatus and locations. The present number of men in the department is one thousand six hundred and thirty-nine.

In presenting to your Honorable Body his annual report of the state of the Fire Department, the Chief Engineer deems it his duty to offer for your consideration some suggestions, which, if adopted by you, would, in his opinion, tend materially to improve the condition of that institution, which of all others from its size, utility and importance to our city, demands your fostering care. The first step towards promoting the welfare of the department, is the maintenance of a strict subordination and discipline among its members, a rigid adherence to the laws, and a determination on the part of the Common Council to punish those who violate them. The laws already enacted, with perhaps one or two slight amendments, are sufficient: it only remains to have them properly enforced.

The very prompt, decisive and energetic manner with which the present Fire and Water Committee have entered upon the discharge of their duties, gives an earnest of their intention (so far as it lies in their power to do so) to reform all abuses in the department. The Chief would simply ask that, in this, the Committee may receive the unanimous and cordial support of your Honorable Body.

He would recommend an amendment to the laws, by which the officer in charge of any fire company, while on duty, should be held responsible for the conduct of his men,

and in case of any riot or disorder, that he shall be required to point out the offenders.

He would also suggest the propriety of amending the law to prevent persons, other than Firemen, from entering the places of deposite for the fire apparatus. The practice of boys frequenting the engine houses, is becoming an evil of great magnitude, which can only be remedied by some salutary law on the subject, as it cannot be expected of the Firemen, that they should keep a constant watch over them.

Another subject which demands your attention is that of equalizing the duty of the Firemen. About eighteen months since, the Committee on Fire and Water requested that all the Fire Companies located in the Fifth district, should perform duty in that district only, and not to leave it unprotected. The propriety of this request the Chief does not at all question; so far from it, he deems it absolutely necessary: but it unfortunately bears hard on the Firemen attached to companies in the other sections of the city; and many of them do not hesitate to complain loudly that they are compelled to do duty at all times, and in every portion of the city, while others are confined to a small section, and perform but one-fifth of the labor. The justice of these complaints cannot be denied, and it would perhaps therefore be proper to divide the city into three districts, and the duty in each district to be performed by the companies located therein. The present supply of water, the numerous hydrants, and the strength of the department, would seem to justify such a course at the present time.

The want of a sufficient Police at fires to protect property, and to keep off the crowd of spectators, who only embarrass the operations of the Firemen, is severely felt. This duty properly belongs to the Marshals, but they seldom or ever attend to it. They urge, in justification of their neglect, that they are not paid for their services. It is suggested whether, by paying them a certain salary, money would not, in the end, be saved by it to the citizens. A number of the

fire companies having been disbanded, it would seem proper that the remaining ones should be arranged in regular rotation, and that their numbers should be altered, so that they should follow one another in regular succession.

The Chief Engineer has thrown out the foregoing suggestions in the hope that they would meet your serious consideration and prompt action; and in closing his report he feels it a duty, as well as a pleasure, to bear testimony to the general promptness and alacrity of the Firemen in the discharge of their duties. That there are exceptions to this remark he does not deny; but it is not to be expected, that in a body of men so numerous as the Firemen, all will be equally good; and it is to be regretted, that too often our citizens, in their censures on the Firemen, blend the innocent with the guilty, and attribute to all, the disorderly acts of a few. That the efforts and labors of the Firemen have been efficient, and crowned with success, is evident from the fact, that although during the past twelve months fires have been as frequent in our city as ever before, still there have been but two which involved the destruction of any great amount of property; and in the instances referred to, such was the rapidity with which the fire spread, and the headway which it had obtained before being discovered, that it was a subject of astonishment to all that they were subdued without much greater loss. In view of these facts, our Fire Department may justly challenge comparison with that of any other in this country. It ranks amongst its members many of our most respectable citizens, and for the preservation of its harmony and usefulness they ask for the support and aid of the Common Council. The undersigned indulges the hope that it will be cheerfully granted them.

Respectfully submitted.

CORNELIUS V. ANDERSON,
Chief Engineer.

July 7, 1841.

SEMI-ANNUAL

REPORT

OF THE

WATER COMMISSIONERS,

JULY 12, 1841.

DOCUMENT NO. 17.

BRYANT & BOGGS,

PRINTERS.

DOCUMENT No. 17.

BOARD OF ALDERMEN,

JULY 12, 1841.

The Water Commissioners presented their Semi-Annual Report in relation to the Croton Aqueduct, which was laid on the table and directed to be printed for the use of the members.

SAMUEL J. WILLIS, CLERK.

NEW YORK, WATER COMMISSIONERS' OFFICE,
JULY, 12, 1841.

To the Honorable the Common Council of the City of New York:

In conformity to the Act of the Legislature of the State, establishing the Board of Water Commissioners, we respectfully make this our Semi-Annual

REPORT:

Having lately made to the Board of Aldermen, on their application, a special report in relation to the officers and per-

sons employed both in the Engineer and other Departments of the Croton Aqueduct, it is not deemed necessary to repeat that information.

With the exception of the dam over the Croton River, which was carried away the last winter, the work has stood, both the frost of the winter and the unusual fall and floods of rain, beyond our expectation ; and taking the extent of the work, and the great weight of the walls, embankments, and mason work of the superstructure, passing as it does, over almost every variety of material for foundation, it has settled much less than could have been anticipated. It has in fact settled in few places, and in but one (Bathgate's meadow in Westchester County) to any material extent.

We have, nevertheless, been obliged to expend for repairs throughout the whole line, since the last fall and spring, the sum of $7,625 17 : about two-thirds of this amount has been for repairs to embankments, opening drains, and similar work, incidental to new structures of earth ; the balance for repairs of the character described by the Chief Engineer in his report. They were mainly on sections 15, 16 and 17 of the first division, on which the foundation walls were not made with as wide a base as was subsequently adopted.

This description of repair on the line of aqueduct proper, is now mainly done in Westchester County, and it is both hoped and expected, that the work when once finished, in at least the aqueduct or line department of it, (the tunnel of which being under ground) will, for ages to come, require no repair, excepting perhaps occasionally to replenish the waste of the earthen covering.

It is with great satisfaction that the capacity of the numerous culverts for waste water, under the aqueduct, has been found amply sufficient to discharge the water. This was an interesting subject upon which to be satisfied, for if they had not been found sufficient it would have been difficult to have remedied the evil.

The heavy wall fundation at Mill River, mentioned in our

report of January last, as not completed, has been progressing towards completion; the foundation is now laid, and six or eight weeks will complete the aqueduct tunnel over the same. This embankment is an imposing part of the work, being a foundation and protection wall of seven hundred feet in length, with a base of extreme width of one hundred and forty feet, and extreme height of eighty-four feet.

The beautiful bridge at Sing Sing has remained during the winter without exhibiting the least settlement or defect in the work; its construction reflects great credit on Col. Andrew Young, its builder.

The dam at the Croton River was contracted for, (after advertising) by Messrs. McCullough, Black & Co. The season has been by no means favorable for the speedy completion of this work; the heavy floods of rain kept the river high, and delayed the commencement of the work, the foundation at the bottom of the river being the part first required to be made. The state of the river is now more favorable, and we are determined to press this part of the work, so that by the setting in of winter the dam will be sufficiently high to commence throwing back the water into the tunnel of the aqueduct, which the contractors are bound by their contract to do.

The construction of the dam now building will, according to the estimates, amount to about one hundred and twenty-seven thousand dollars; but it must be recollected that this dam will be a mason work dam, laid in hydraulic cement, in the place of the mere earthern filling in, with a dry protection wall laid with rough stone, so that the dam when now finished, will be an entirely different structure from that part of the dam carried away, and will correspond in strength and durability with the rest of the work, certainly much more so than the dam as formerly constructed; and as the dam creates the supply, the importance of its strength and durability, in the original construction, is very obvious.

Connected with the loss of the dam, have arisen the claims

for damages, of perhaps thirty individuals, whose property was more or less affected by the floods in the month of January last. These individuals nearly all resided below the dam, or were the owners of property there. All the owners of property below the dam, had or will have claims on this department, for the diversion of the water of the river. We have gradually extinguished the right of ownership of the water and water power, by compromise, with the following persons, and for the sums set opposite their respective names:

John R. Griffin and wife ...	$ 50	
Moses Tompkins and wife ..	900	
Gilbert Pugsley	700	
John Tompkins	650	
Gilbert Hunter and wife	125	
Joshua Purdy and wife	1,400	
Gabriel Purdy and wife	550	
Henry Lounsberry and wife ..	600	
Elias Purdy and wife	325	
Philip G. Van Wyck	2,100	
Samuel W. Talbot	3,000	
James Palmer and wife	200	
Do. do.	600	for land in fee.
John R. Griffin and wife	400	" "
Gilbert Pugsley	400	" "

There are fifteen or sixteen other persons, also owners of land and water power, setting up claims for damage from the breaking away of the Croton Dam, with whom we are in progress of compromise for their water power, whose damages are generally small, but for which we do not admit that the Water Commissioners or Corporation are liable.

While we have not admitted, but denied, the obligation of this department, or the liability of the Corporation, to pay for damages by this flood, which caused ruin and devastation throughout the country, and on this same river, beyond any

influence from the Croton Dam or works, yet we nevertheless have taken from all such persons, whose water rights we purchased, a release and discharge from any right of action for damages that might by possibility be set up.

The greatest losers by the flood were the Messrs. Baileys, the owners of the wire factory. We had several conferences with these gentlemen, who are the owners of water power to be taken and paid for by the Water Commissioners, in addition to the claim which they set up for damages, and we were in hopes to have effected a compromise with them; but as yet this has not been accomplished, and they have sued the Corporation; which suit cannot, under any circumstances, embrace the question of the right of water, as this is at least a question only to be decided in proceedings commenced by or against the Board of Water Commissioners, under the Act to appoint Appraisers, and not by the common proceedings in Courts of Law or Equity. This suit against the Corporation, it is believed, is the first commenced against them, and it certainly would be desirable that all these questions of damages, (if this department or the Corporation are liable,) should be appraised, as they have heretofore been appraised, by the Appraisers, who have (in nearly all cases in Westchester County) been the same individuals; they having become acquainted with the subject, and can conveniently examine the premises, certainly much more conveniently and correctly than any Jury could do.

The works on this island, including the reservoirs, the mains, Clendining Valley Bridges, and the tunnels, have been progressing during the summer, although retarded from the want of punctual payments, as hereafter set forth.

The foundation for the bridge over the Harlaem River, so far as piers Nos. 7, 8 and 9 are concerned, has been laid in the bed of the river, and the sinking of the coffer dams has been attended with less difficulty than was apprehended. In fact, the bed of the river, when cleared by the removal of the sand and mud, and the immense boulders found therein,

has proved admirably calculated for the support of the lofty and imposing structure intended to rest upon it. For the particulars of this part of the work we refer to the Chief Engineer's report annexed.

There is another subject to which we wish to call the serious attention of the Common Council: we refer to the great delay in the payment, both of the sums due the contractors and the funds necessary for incidental expenses, which includes the expenses of laying down pipes between Manhattanville and the distributing reservoir. By the terms of the contracts entered into by this department with the contractors, monthly payments are to be made during the spring and summer, and bi-monthly payments during the winter. The estimates have always been made to the twenty-fifth of the month, and the payments are considered as due on the 1st proximo; subject, however, to a retention of one-tenth part of such amount due, until the whole contract is satisfactorily completed. Ninety parts of the money acknowledged to be due is therefore regularly claimed to be due on the 1st of each month by the contractors; and the men whom we employ on daily wages have been, from the commencement of the work, paid once a month, which is a long time for laboring men to go without their pay.

To pay the laborers and contingent bills, we, for instance, drew a requisition on the Comptroller, on the 9th of March last, for $2,413 14, which was not paid until the 27th of March; on the 9th of April we drew for $4,311 59, paid on the 1st of May; on the 3d of May we drew for $3,370 41, paid on the 29th of May; on the 8th of May we drew for $891 87, paid on the 28th of June; on the 4th of June we drew for $3,910 53, paid on the 23d of June; on the 28th of June we drew for $4,396 96, paid on the 9th of July; and on the 30th of June we drew for $5,000.

The last draft, for $5,000, was to place this Commission in funds to meet actual claims, which, by letter of the 30th of June, we informed the Comptroller would, on the first of

July following, amount to $10,575. This draft has not been paid, nor has any answer been given to our letter. The result is, we had not, and have not, themeans in the contingent fund to pay the bills due on the 1st instant.

The following statement shows more particularly what has been the state of our incidental fund and our indebtedness during the last two months:

On the 6th of May we had in hand $559 19. There was due on the 1st of May $1,831 25 to the Engineer Corps, for their April pay roll; and $1,954 28 to the pipe department, for labor, &c. for the same month. We were not in funds to pay these claims until the 29th of May.

On the 1st of June, we had in hand $19 07. There was due on that day to laborers and others for repairs made on the Aqueduct during May, $1,855 99, to the pipe department for labor, &c. for the same month $2,340 97, and to the Chief Engineer for his bill of incidental expenses, advanced in May, $242 82. We were not in funds to meet these claims until the 23d June, and $1,887 50 due the Engineer Corps, for their May pay rolls, was not paid until the 9th of July, we not having the money to discharge the debt before.

Again, on the 1st July, instant, we had in hand about $50.

There was due on that day—

The pay rolls for May, to the Engineer Corps, as just before stated	$1887 50
The same for June pay roll	1932 75
For repairs on the Aqueduct for June	1172 76
For salaries	1500 00
To pipe department, for labor, &c. for June	3347 30
Amounting in all to	$9840 31

To meet which, we received on the 9th July $4,396 96, leaving us still in debt for claims which should have been discharged on the 1st instant, the sum of $5,443 35, besides $1,900 due to B. F. Gedney, for his awarded damages. To

these sums may be added $2,125, which will be due to the Chief Engineer and his principal Assistant, on the 19th instant, for quarter's salary.

In addition to the above letter to the Comptroller, we, on the 13th of May last, wrote his Honor the Mayor a letter, of which the following is an extract:

"On the 29th of April, we furnished the Comptroller with our requisition in favor of fourteen different companies of contractors, amounting to but $148,410, all for work north of Murray's Hill.

"The Comptroller has declined to meet this requisition, and these individuals are kept out of their money, some of which has now been earned nearly two months and a half. This non-compliance, in fact refusal, to provide for money to pay these creditors of the Corporation, has led to the breaking off work by more than three hundred of the men employed on the same, and the work at several important points is already stopped."

We were in hopes that this would have led to greater punctuality, as the want of it could not but be perceived to have been of serious injury to the progress of the work, and to the interest of the city.

We furnished the Comptroller also, in the month of April last, with the amount required in each month, and have, as the 1st of each month approached, kept him advised as nearly as possible, of our wants, but our requisitions or drafts have only been met with the great delay above specified: and when applied to by the contractors and creditors to know when they can expect to be paid, we are unable to make any reply, never knowing before-hand when the means will be placed in our hands.

Some additional difficulties have also grown out of the Croton Aqueduct Committee refusing to allow the payment of certain legal expenses incurred by this department, to settle the questions of law growing out of the difference of opinion in the courts, and afterwards the attendance of the

Commissioners at Albany, to have this difficulty settled by Legislative enactment, as the mode most expedient and least expensive to the city; but it is certainly to be regretted that such questions should delay the payments of the drafts of the Water Commissioners, as we are of course bound to account for all monies coming into our hands, and the State Law directs the Comptroller to pay our drafts, and also (which w have asked) a semi-annual examination of the accounts of this department by the Finance Committee, which is the Committee directed by law to examine the same, a measure we believe, never done from the commencement of the work, certainly never since we have been in office.

We have the more dwelt upon these delays and difficulties in payments, and the continued dishonour of our draft for $5000, from the fact that the Engineers estimated that in April, 1841, we should have done work and required money to the amount of $200,000, in May $175,000, and in June, $200,000, whereas the work actually done in March and April, amounted to but $148,410, in May to but $94,545, and in June to but $116,820, making a deficit of work in these months of $215,225 less than what ought to have been done by the estimate of the Chief Engineer.

Now, no doubt, much of this deficit of work which should have been done, has grown out of the want of punctual payments: and that it has produced an uncertainty as to the time of completion of the work, and that a continuance of this irregularity in payments will certainly prevent the introduction of the Croton water into the City of New York, in the summer of 1842, agreeable to the previous expectations of the Water Commissioners, the Corporation, and the citizens of New York.

All which is respectfully submitted.

SAMUEL STEVENS,
Z. RING,
JOHN D. WARD,
B. BIRDSALL,
SAMUEL R. CHILDS.

REPORT

ON THE

GENERAL STATE OF THE WORK

ON THE

CROTON AQUEDUCT.

NEW YORK, JUNE 30th, 1841.

To the Honorable the Board of Water Commissioners of the City of New York:

GENTLEMEN—

With the exception of the failure of the guard bank of the Croton Dam by the water passing over it in the great flood of January last, the works of the aqueduct have stood the action of the winter and spring rains, without sustaining any important injury. With the exception of one instance, where a small culvert became choked up and the water rose over the backfilling, and washed away a small portion of the bank, the culverts have proved amply sufficient to pass the floods of the numerous streams that cross the line of aqueduct. In some instances where the banks were not protected by walls, the wash of the rains has more or less cut gullies and carried off the materials. While the operation of heavy rains has indicated the propriety of some additional protection to the earth banks, or backfilling of the aqueduct, and the necessity of watchfulness in time of heavy floods, to prevent ice and drift wood from choking the mouths of the small culverts, no injury has been experienced that would in the least affect the regular flow of water in the aqueduct.

The drains for conducting the land floods to the sluices and culverts provided to discharge them across the aqueduct, have, more or less, been filled by the deposite of earth, brought down from the side hills, that range along to a great extent above, and contiguous to the line of aqueduct.

Small parties of men have been employed since the commencement of the season, in clearing out the drains and strengthening the guard banks, and in more effectually protecting the banks from washing, by, in some cases, raising the protection walls, in others, by covering the outside with a coating of stone chips and fragments obtained from the quarries in the vicinity, and to a small extent by turfing. The protection walling was originally carried to such an extent, that the additional work of protecting the banks will not be great, and is now in a good state of progress.

The Board are aware of the fact, that in several cases where the aqueduct is constructed on dry foundation walls, erected to maintain the grade line across low grounds, a settlement has taken place in the foundation, which has caused a slight check in the masonry of the arch. These checks have not been such as to cause any considerable leaking, and in most cases the fine sediment of the water that passes over the bottom, has been sufficient to render them entirely impervious, and the water has passed over them for months, without any evidence of leaking. Over the most prominent of these cases the water was several times let on last fall, and during the great flood in January last, the water passed over the breast of the gateway at the head of the aqueduct, and filled the same to near the top of the arch, discharging by the waste weir at Sing Sing, and at Mill River; but no perceptible leakage, or unfavorable impression was made on the places referred to. The extent of aqueduct so affected is comparatively small, and it is believed, its permanent security will be effected at a moderate expense. The greatest part of the work considered necessary for this repair has been done, and the remainder is in progress. The principal settlement

abovementioned, is believed to have arisen from the too rapid prosecution of the work at those places, the work not having time to become properly consolidated before the superstructure was put on. This view is sustained by the fact, that in the more elevated foundation walls there has no check occurred worth mentioning; while the most important have been in walls not exceeding twelve feet in height, and some not over four feet. In most cases the settlement appears to have come to a rest, not having indicated any change for several months, and it is confidently believed the measures in progress will be an effectual security.

In two of the tunnels cut in rock there are indications, from the decomposition that has appeared in the rock, of the necessity of extending the masonry to about fifty feet in one case, and forty in the other, to support the roof of the tunnels. Nothing has yet been done towards putting in this masonry, as it has but recently appeared to be necessary. The aqueduct would probably perform its duty for many years without any attention to these tunnels: it is, however, advisable that it should be done this season, as it can be done much more conveniently than at any future time.

The contractors for the unfinished work were generally in a good state of preparation at the commencement of the season to prosecute their work with energy; but the frequency of rains during the month of April and early part of May, very materially retarded their progress, and much less work was done than was expected. The estimate due the 25th of April, being for two months, was not paid until about the 1st of June, instant, which delay caused much embarrassment to those contractors who had not command of funds from other sources, producing much dissatisfaction, and suspension of work by the laborers; and may be noticed as one of the causes of the small amount of work done in the month of May and early part of June.

The work under contract at the Croton Dam, was peculiarly retarded by the continued rains in the early part of the

season. The first work that could be done there was necessarily to be done in the river, and the state of the water did not allow this to be commenced with much energy until about the 1st of June, instant; since that time the channel of the river has been lowered, and the water brought to as low a level at the site of the dam as can reasonably be effected. The coffer dam, which has still to be sunk in water varying from six to ten feet deep, has been in progress, and one of the piers was in place on the 24th, and the other on the 28th instant. The piers of the coffer are one hundred and eighty feet long, and the space between them is now being filled with concrete masonry, and the work is expected to be ready to receive the pumps in a few days. After the water is emptied from the coffer dam, the field for operation will rapidly expand, and it is hoped the contractors will be prepared to carry it forward with all practicable energy.

The difficulty of doing a large amount of work, in a small place incommoded by a river that must necessarily pass over a great part of it, and the importance that is in this case involved in its accomplishment, must render this work a subject of deep and constant solicitude. Although we are thrown to a late period in the season, in the commencement of this work, still, should the remainder prove favorable, and we are not disappointed in the capacity and energy of the contractors, the work may be so far advanced as to throw the water into the aqueduct in season for its anticipated introduction. Thus far, we have found no greater difficulties in the work itself than were anticipated, and the hope is strongly indulged that it will soon assume a progress that will justify the expectations that have been formed from its necessities, and the character of the men who have undertaken this important contract.

The contract of George Law, for the section at Mill River, the only unfinished contract between the Croton Dam and Harlaem River, is advancing as rapidly as the interest of the

work requires, and will probably be completed in the month of August.

The work on the foundations at Harlaem River, proceeds but slowly. The impediments presented by the rock boulders to the dredging of the mud and sand, and also to the driving of the sheeting piles, greatly retards the progress of this work. The foundation for the greater part of the third pier in the river is now laid bare, and the work of levelling off the rock to receive the masonry is progressing. The portion of the foundation above alluded to, is but a few feet below the bottom of the coffer dam frame, as sunk in the first instance; but for the remaining part, being the north-west corner, the rock dips so as to make it necessary to go down about fifteen feet below the frame, to obtain satisfactory foundation. This depression in the rock has caused much delay in preparing the foundation of this pier. It is believed, however, the difficulties attending this foundation will be overcome in the course of two weeks from this time.

The frame of the coffer dam of pier No. 10, being the 4th water pier, has been placed, and all but one side embanked; which has been sometime waiting for the piling in No. 11, (or the 5th water pier,) now so far completed that the embankment may be finished, and prepared to receive the pumps, in the course of two or three weeks. The frame of No. 11 (5th water pier) has been placed, and three-quarters of the sheeting piles driven. The dredging for Nos. 12 and 13 (6th and 7th water piers) is well advanced, and the frames may both be in place, and the sheet piling carried round them, during this season. These complete the river foundations, with the exception of some unimportant work at No. 14.

The masonry of two water piers has been brought to near high water level, and some progress made on the masonry of two land piers. The fixtures for handling the stone in laying up the masonry, have been well arranged for convenience and efficiency. The elevating, moving and placing the stone is performed by steam power.

It has been regarded as an indispensable consideration, that the work embraced in this contract should be put in such condition as would permit the proposed pipe for temporary use to be laid down, and thus complete the connection between the aqueduct on each side of the valley. It is believed this will be secured by the time the work on the island is ready to receive the water.

The work between section 86 (Harlaem River) and Fortieth street may be regarded, on the whole, as in a fair state of progress at this time; though, as before observed, the amount of work for the season has been considerably below what was anticipated, and render it doubtful whether all the sections above the receiving reservoir will be completed this season. The contracts for sections 88, 89 and 90 are in the most backward state, as compared with what should have been expected from the character and amount of work to be done. It is satisfactory to observe, that on the contracts requiring the greatest amount of work, to wit, the two reservoirs, the best progress has been made. All the contracts for this part of the work expire in October next; but there is no probability they will all be completed by that time, unless a greatly increased energy is put forth in their prosecution.

The work of laying the large pipes in Manhattan Valley, and between the receiving and distributing reservoirs, is in good progress.

The amount of work yet to be done, before the water can be let into the aqueduct, is large; and some part of it, more particularly the work at the Croton Dam, will be attended with considerable difficulty and embarrassment in its accomplishment. The frequent heavy rains in the early part of the season, and delay in the payment of the April estimate, have, so far, materially retarded its general progress this season. It is believed, however, if no extraordinary occurrence should arise to embarrass operations on the work, it may be so far completed as to be ready to receive the water during

the month of June, 1842, or within one year from this time.

To secure this result, it is important that the estimates to the contractors should be promptly paid.

This is demanded from considerations of sound policy as well as obligation to the contractors.

The expenditures are principally to workmen, the great body of whom depend on their monthly earnings for their subsistence, and who have very little credit beyond the regular time of payment by the contractors; and if this is delayed, they are embarrassed, and consequently dissatisfied, and often more or less of them refuse to work; which, if it does not wholly stop the work, the system of arrangement and operation is confused, and rendered less effectual than it should be for the force that remains. In their arrangements for the delivery of materials, it is very important to the contractors, as well as to the progress of the work, that efficiency and punctuality should be fully maintained; and this cannot be expected, if the contractor is not punctual on his part. The contracts that are unfinished, are most of them large, requiring from $5,000 to $25,000 worth of work per month. It is therefore obvious that the monthly obligations of the contractors must be large, involving many cases of urgent necessity for prompt payment. These remarks are made from the conviction that the time of completing the work will be materially affected by the degree of promptness in which the estimates on the progress of the work are made, more particularly on those contracts on which there is a large amount of work to be done.

The Board will perceive how inefficient will be the duty of this department, in insisting on more energetic progress, while the contractors can urge in excuse delay in the payment of their estimates. The time of making the estimates has been fixed on the 25th of the month, in order to give time to prepare the papers by the 1st proximo; on, or about which time payment is expected, as provided for in the contracts. It has rarely occurred that so great delay has been

made in the payment of estimates, as that for 25th April, before mentioned; but ten days to two weeks has often happened; and the delay itself is less embarrassing than the uncertainty when it will be paid.

My apology, if any is necessary, for so freely remarking on the subject, must be found in the condition of the work, its near advancement to completion, the period looked to for so much maturity as will be sufficient for the aqueduct to commence the important functions for which it was undertaken; and my earnest desire, that no circumstances may operate to protract the accomplishment of a result to which the city must look with deep interest. Unless payment be promptly made, the contemplated time of completing the work will necessarily be extended to a more distant period.

My report of the 4th instant will supersede the necessity of any remarks in relation to the condition and wants of the Engineer Department. That report is respectfully referred to for any information that may be desired on this branch of the service, at this time.

Respectfully submitted.

JOHN B. JERVIS,
Chief Engineer N. Y. W. W.

DOCUMENT No. 18.

BOARD OF ALDERMEN,

JULY 12, 1841.

Quarterly Report of the Croton Aqueduct Commissioner. Ordered on file and to be printed.

SAMUEL J. WILLIS, CLERK.

CROTON AQUEDUCT DEPARTMENT,
NEW YORK, JULY 1, 1841.

To the Honorable the Common Council of the City of New York:

In compliance with the ordinance creating this department, the undersigned herewith presents a statement of the expenditures made during the quarter ending June 30th, a return of the water pipes and other materials on hand, and the quantities of pipes, &c. under contract.

All of which is respectfully submitted.

H. A. NORRIS,
Croton Aqueduct Commissioner.

CROTON AQUEDUCT DEPARTMENT,
NEW YORK, JULY 1, 1841.

REPORT OF EXPENDITURES

FROM 1ST APRIL TO 30TH JUNE, 1841, INCLUSIVE.

Water Pipes and Branches.

Paid Stephen Colwell	$21,306 47		
" Joseph W. Brick	13,076 75		
" Ward, Stillman & Co.	14,576 66		
" Ellicott & Brothers	34,157 24		
" John Cumings	4,756 66		
" A. M. Jones & Brother	4,319 29		
" David C. Wood	4,637 64		
" T. & G. Rowe	368 67		
		$97,199	38

Stopcocks.

Paid James Robertson	4,515	00

Hydrants.

Paid T. & G. Rowe, castings	$2,625 82		
" James Robertson, fitting up	3,600 00		
		6,225	82

Repairing Stopcocks and Hydrants.

Paid James Robertson	32	80

Lead for Joints.

Paid James McCullough	5,019	04
Amount carried forward	$112,992	04

Amount brought forward.....		$112,992 04

Yarn for Joints.

Paid R. B. Dikeman.....		355 52

Cartage of Pipes.

Paid Patrick Galligher	$213 39	
" Henry Saelor	208 50	
" Patrick Slaven	203 63	
" John J. Cooper	208 50	
" Thomas Miller	176 99	
" Thomas Miller, jun.	162 37	
" Mathias Carstine	207 50	
" John C. Wandell	132 38	
" Abraham Teale	205 87	
" Isaac Vanderbeck	194 26	
" Thomas Maher	206 89	
" Peter Hamill	178 74	
" George McNamara.....	197 99	
" Henry Chanfraud	131 26	
" Peter Speir	154 49	
" Perez Reynolds	10 13	
" William Evers	9 50	
" T. & G. Rowe	1 87	
		2,804 26

Digging and Filling Trenches and Repaving Streets.

Paid Samuel S. Wandell		16,726 50

Repairing Sewers.

Paid J. N. Jaques		75 50
Amount carried forward.....		132,953 82

Amount brought forward		$132,953 82

Tools and Repairing Tools.

Paid J. A. Coffin	$15 24	
" Edward Field & Co.....	57 00	
" William Conden	90 31	
" John J. Moffat	205 22	
" Moore & Vanderbeck.....	32 52	
" John Goodwin	11 50	
" John C. Robertson.....	63 47	
		475 26

Whitewashing Pipes.

Paid Samuel S. Wandell		361 68

Patterns.

Paid John Cumings	$97 63	
" T. & G. Rowe	31 51	
		129 14

Pine Wood.

Paid Reuben Smith		196 89

House for Press and Scale.

Paid John J. Moffat		376 71

Hydrostatic Press.

Paid Ward, Stillman & Co.		1,250 00
Amount carried forward		$135,743 50

Amount brought forward $135,743 50

Contingent Expenses.

Paid James A. Coffin, rosin	$ 2 00		
" George Wickes, plugs	35 37		
" William Plumb, sundry bills for coal, cloth for maps, kettle for lead, postage, New York Standard, oil, brooms, &c. &c.	57 32		
		94	69

Workmen's Wages.

Paid foremen, and workmen on the lines and at the yard, one clerk and one draughtsman	6,206	52
	$142,044	71

Number of the different sizes of Water Pipes and their connections, on hand 1st July, 1841.

Pipes,	20	inches diameter	1,747	feet.
"	16	" "	6,719	"
"	6	" "	3,780	"
"	4	" "	6,372	"
Total number of feet			18,618	

Branches, from 20 to 4 inches diameter	269
Caps, 12, 10, 6 and 4 .... " .... " ..	254
Circular	52
Bevel hubs, from 20 to 6 " .... "	57
Reducers, " 12 to 6 " .... "	21
Frames and covers, ...	391
Sleeves, 16, 12, 10, 6 and 4 " ... " ..	181
Stopcocks, 12 ..... " .... "	25

Stopcocks,	6 inches diameter	29
" (old)	6 .. " .... "	2
" "	12 .. " .... "	8
Hydrants, new	.....	7
" old	.....	9
" castings	.....	18 sets

At Fort Gansevoort, condemned.

Pipe of 12 inches diameter, 828 feet.

Water Pipes and their connections, under contract and not delivered, July 1st, 1841.

Contractors' Names.	*Quantities.*	*Size.*	
Johnston & Kinsman	5,555 feet	36-inch	pipe
Ward, Stillman & Co.	3,994 "	36 "	"
Ellicott & Brothers	9,562 "	20 "	"
" "	4,059 "	16 "	"
Ward, Stillman & Co.	151 "	12 "	"
John Cumings	2,763 "	12 "	"
David C. Wood	1,914 "	12 "	"
"	7,437 "	6 "	"
A. M. Jones & Brother	21,053 "	6 "	"
Ellicott & Brothers	63,394 "	6 "	"
Johnston & Kinsman	75,000 "	6 "	"
Stephen Colwell	26,094 "	6 "	"
James Robertson	96	12 "	stopcocks
"	81	6 "	"

DOCUMENT No. 19.

BOARD OF ALDERMEN,

JULY 12, 1841.

Communication from the Comptroller, relative to the Appropriations and Expenditures of the year 1841. *Resolution adopted.*

SAMUEL J. WILLIS, CLERK.

Resolved, That it be printed and be referred to the Finance Committee, and that so much of it as refers to the expenditures of the Alms House, Cleaning Streets, Cleaning Docks and Slips, Fire Department, Lands and Places, Police and Repairs, be referred to the Committees on the subjects in question.

By JAMES POLLOCK.

COMPTROLLER'S OFFICE,
NEW YORK, JULY 12, 1841.

To the Honorable the Board of Aldermen:

I respectfully present to the Board of Aldermen a statement of the ordinary expenditures of the City and County,

for the first six months of the year ending the 1st of July instant; and also the estimates for the year, upon which the tax authorized to meet these expenditures was based. From this statement, it will appear that the expenditures under the heads of accounts, Building and Repairing Docks and Slips, Coroner's Fees, Elections, Intestate Estates, Justices Courts, Printing and Stationery, Salaries, Street Expenses, and Watch, are below the estimates. That those under the heads of accounts, Board of Health, Charities, Courts, Lamps and Gass, Markets, Penalties, Public Reservoir, and Roads and Avenues, are not materially above the estimates; and that the expenditures under the heads of accounts, Alms House, Cleaning Streets, Cleaning Docks and Slips, County Contingencies, Fire Department, Lands and Places, Police, and Repairs and Supplies, exceed the estimate in large sums, varying from $1000 to 25,000, for the six months. Indeed the Fire Department, Lands and Places, and County Contingencies accounts appear to be nearly exhausted, and will need some Legislative action previous to the recess, if the same rate of expenditure be continued; while the other accounts last above mentioned, will, at the previous rate of expenditure, be exhausted early in the fall. It will be recollected that the amount of the tax authorized cannot be increased at pleasure, to cover any expenditure over the estimates upon which it was founded, and that unless a reduction in some of the accounts, sufficient to cover the excess in others, be effected, it is obvious that such excess will constitute a debt unprovided for, at the end of the year. Under these circumstances, the Comptroller has deemed it expedient to make this statement, and also to apprise those members of the Common Council that may be unacquainted with the fact, that some of the estimates for this year were predicated upon an implied change of system in some of the departments of the city service.

Respectfully submitted.

ALFRED A. SMITH,
Comptroller.

STATEMENT

OF THE

Expenditures for the first half of the Year 1841,

ON THE PRINCIPAL HEADS OF ACCOUNTS.

Account.	Expenditure.	Year's Appropriations.	Difference.
Docks and Slips—Building and Repairs to	$32,063	$65,000	
Coroner's Fees	2,186	5,000	
Elections	29,749	60,000	
Intestate Estates	762	1,800	
Justices' Courts	7,400	15,000	
Printing and Stationery	9,295	20,000	
Salaries	29,740	60,000	
Street expenses	8,037	40,000	
Watch	116,918	234,000	
	$236,150	500,800	$14,250 under.
Board of Health	3,142	5,500	
Charities	4,071	8,000	
Courts	22,715	40,000	
Lamps and Gas	63,149	120,000	
Markets	7,629	14,500	
Penalties	1,525	3,000	
Public Reservoir	3,769	6,000	
Roads and Avenues	13,842	27,000	
	$119,842	$224,000	$7,842 over.
Alms House	140,497	250,000	
Cleaning Streets	95,420	141,500	
Cleaning Docks and Slips	5,933	10,000	
County Contingencies	27,046	30,000	
Fire Department	38,958	45,000	
Lands and Places	8,210	10,000	
Police	21,709	37,500	
Repairs and Supplies	19,074	28,000	
	$356,847	$552,000	$80,847 over.

DOCUMENT No. 20.

BOARD OF ALDERMEN,

JULY 12, 1841.

Report of the Committee on Public Offices and Repairs, in accordance with an Ordinance to provide for the Accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on Public Offices and Repairs, in accordance with the ordinance providing for the accountability of Committees, respectfully

REPORT:

That at a meeting of the Committee, held July 7, 1841, a majority being present, bills to the amount of $1627 90, were examined and passed by them—$1,005 31 of which was expended for repairs and supplies, and $622 59 for the Fire Department, viz:

	Repairs and Supplies.	Fire Department.
Workmen's wages at public yard, &c...	$473 95	$312 45
Materials, labor, &c.	531 36	310 14
	$1,005 31	$622 59
	622 59	
	$1,627 90	

Rsspectfully submitted.

F. R. LEE,
C. B. TIMPSON,
CALVIN BALIS.

DOCUMENT No. 21.

BOARD OF ALDERMEN,

JULY 12, 1841.

Report of the Croton Aqueduct Committee, in compliance with an Ordinance to provide for the Accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on the Croton Aqueduct, in accordance with the ordinance on the accountability of Executive Committees, respectfully

REPORT:

That at a meeting held July 8, 1841, bills to the amount of $61,205 38 were examined and passed by them, viz:

Workmen's wages	$1,332 61
S. S. Wandell, digging and paving.....	2,662 00
Stephen Colwell, pipes	6,355 73
Carried forward	$10,350 34

Brought forward	.....	$10,350 34
David C. Wood, pipes	.....	2,381 32
Ward, Stillman & Co. do.	.....	4,847 09
A. M. Jones & Brothers, do.	.....	4,130 54
John Cummings, do.	.....	1,921 48
James McCullough, lead	.....	3,367 78
James Robertson, stopcocks	.....	1,380 00
T. & G. Rowe, castings	.....	370 31
Fare & Fowler, scales	.....	90 00
Choller & Jones, pipes	.....	20,042 18
Merrick & Town, do.	.....	9,031 58
Winterton & Myer, do.	.....	1,735 67
Wm. Plumb, office expenses	.....	47 34
Cartage of pipes	.....	909 75
		$61,205 38

At the same time a contract was authorized to be made with Ellicott & Brothers, of Baltimore, for four hundred tons of 24-inch pipe, at $55 per ton.

Respectfully submitted,

MOSES G. LEONARD,
F. R. LEE.

REPORT

OF THE

COMMISSIONERS

OF

SCHOOL MONEYS,

For the Year ending May 1st, 1841.

DOCUMENT NO. 22.

BRYANT & BOGGS,

PRINTERS.

DOCUMENT No. 22.

BOARD OF ALDERMEN,

JULY 26, 1841.

Report of the Commissioners of School Moneys, for the year ending May 1st, 1841. Laid on the table, and double the usual number of copies ordered to be printed.

SAMUEL J. WILLIS, CLERK.

To the Corporation of the City of New York, and the Superintendent of Common Schools of the State of New York:

The report of the Commissioners of School Moneys, for the City and County of New York, for the year ending the 1st May, 1841, respectfully

SHOWETH:

That the sum to be distributed by them the present year was one hundred and thirty thousand three hundred and thirty-seven dollars and eighty-two cents. This amount included the balance standing to their credit on the books of

the Bank of the State of New York, after the distribution of the preceding year, of $7 62; and is derived from that balance, the sum of $35,415 10 deposited from the State Treasury, the like sum of $35,415 10 raised as the equivalent to the State contribution by taxation on the city, and the additional sum of $60,000, less $500, appropriated to the expenses of the Commissioners, arising from the tax peculiar and confined to the City of New York, for the objects of public education. Of the aggregate sum thus assigned for distribution, the amount of $130,323 97 has been paid over to the establishments participating of the school moneys agreeably to law, leaving a balance in the said bank to the credit of the Commissioners of $13 85.

The schedule No. 1, annexed hereto, contains the usual account of these particulars.

In schedule No. 2, also annexed, the schools are mentioned among which the monies were divided; the sums apportioned to each are set forth, together with the quarterly average attendances of scholars, and the average of those attendances during the entire year, consisting of five hundred half days, as directed by law. In addition to these particulars, the same schedule shows, in conformity with the intention announced in last year's report, the whole number of scholars who attended and were enrolled on the registers of the schools at any time within the year which expired on the first of May last. With respect to the Catholic Orphan Asylum, the Half Orphan Asylum, the Manhattan Free School, and the Hamilton School, near Fort Washington, the particulars in respect to the latter attendances and enrolments were not obtained, and the Commissioners have accordingly assumed in the schedule that they amounted in number to the average attendance throughout the year, than which they doubtless were more numerous. The whole number of scholars registered as attending in the schools participating of the school moneys, at any time within the year, will be found by an examination of the schedule referred to, to be

41,385, exceeding by several thousands the estimate made conjecturally by the Commissioners in their report of last year in respect to that year. Of these all but 1,828 were taught in the schools of the Public School Society, in which latter were enrolled 39,557 scholars between the ages of four and sixteen years, besides 397 children under the age of four years.

The same schedule contains also an account of the whole average number of scholars who actually attended the schools during the entire year the schools were open, disregarding the arbitrary rule of five hundred attendances per year, which regulate the distribution. In respect to the schools of the four societies before mentioned, a like assumption has been made as before explained. From this part of the schedule it will appear that the actual attendances throughout the entire year, exceeded the number as ascertained by the legal rule to the extent of 729.

As the forms furnished for the returns from the schools are in some respects imperfect, and do not embrace particulars which are of great interest to the community, the Commissioners recommend that new forms be provided; which, in addition to the items prescribed by the Legislature of the State and the Corporation of the City, may bring to the knowledge of the public the particulars alluded to. Any duty that may be required from the Commissioners, in aid of this object, will be readily performed.

The schedule No. 3, which is annexed to this report, gives the information required by law, of the distribution in 1840; the manner of its expenditure; the times the schools were open; and the state of the schools, their property and affairs, as far as the same have been reported to the Commissioners, in obedience to existing statutes.

Of the schools, the Commissioners are able to speak in the same commendatory terms as in their last annual report. Owing to the great prevalence of sickness among children, and the unusual number of stormy days during the quarter

preceding the first of May last, the attendances at the schools of the Public School Society were diminished below the attendances of the three preceding quarters. It will be seen notwithstanding, that the schools exhibit an increased number of pupils over that of the last year.

The building for the Institution of the Blind is nearly completed, and the scholars have already been removed to the improved accommodations which the new structure furnishes. The Half Orphan Asylum has taken possession of the comfortable retreat recently erected for their use, in which the necessary rooms are provided for additional objects of their charity. Some of the establishments subject to our visitation have incurred, in the prosecution of their laudable aims, considerable debts; but the private liberality and the public spirit which have fostered them into their present promising state, will doubtless provide the means of lifting them from all embarrassments.

The Commissioners had wished, if their responsibilities permitted, to close their report with the aforegoing details. But among the duties with which they are charged, is that of reporting as to all matters they may deem necessary to promote the interests of the schools subject to their visitation. Questions have lately been much agitated, which deeply involve the welfare, and, probably, the continuance of institutions that have justly been considered the noblest possession of our city; and those questions have no unimportant bearing on the political and religious rights of the citizen. Under such circumstances, the Commissioners might be considered as unmindful of their obligations, if they avoided all reference to the matter. Constituted as their Board is, indiscriminately in relation to political sentiment; forbidden by the law and by the nature of their office, from connexion with any of the schools to which they pay the public moneys; and not knowing in the execution of their duty, nor caring to know, any differences of religious doctrine which separate them as individuals, they may at least

claim the merit of impartiality in their opinions, whatever be the weight that shall attach to them. In the expression of these opinions, they will use the freedom inseparable from their obligations; but not intending offence, they do not fear that they shall give any. Of the system of which they at present form a part, they will speak without any apprehension that selfish or personal feelings can be ascribed to them. Their term of service will, in a few months, expire. Their office is one, in which their individual convenience and avocations are very often made to yield to their public duty; which is unconnected with any power of patronage or favor; which they have always been willing to resign to any, who with their amount of zeal would surpass their humble ability; which was accepted only because some must perform it—and none who can attend to it, faithfully, should refuse; and which has rendered no compensating return, but in the feelings awakened by the immense public benefits of which it has made them the witnesses.

It is well known that the education of the youth of this city, by means of the public fund devoted to that purpose, has been placed mainly in the hands of a body of citizens denominated the Public School Society of the City of New York. So inconsiderable are the exceptions from this control, and so peculiar the circumstances under which each exception is made, that the citizens alluded to may be deemed to have the entire practical execution of the city system of instruction committed to them, subject only to the limitations and government hereafter adverted to. In this broad view we shall consider the society throughout this report.

As erroneous impressions partially exist in matters which ought to be better understood, it will be proper to prepare the way for their correction, by some statements in regard to the fund devoted to public education in this city; to the body by whom the schools are designated which partake of that public fund; to the officers by whom the division of it is made; and to the composition and performance of the Pub-

lic School Society. These details will swell this report beyond the compass within which we had hoped to confine it; but their importance and necessity seem so manifest, that we must run the hazard of prolixity.

The public fund, then, assigned to the education of youth in this city, is derived, to the extent of somewhat more than one-fourth part of its amount, from our just proportion of the income of certain funds of the State; an equal sum is raised by taxation on the real and personal estate in the city, by virtue of a general law which places the city in that respect under the like rateable burden imposed on the inhabitants of the rest of the State for purposes of education. In addition to these amounts, however, a tax peculiar and confined to the city, is raised on the real and personal estate within it, of a sum almost equalling both the proportions of the fund, which are before mentioned. The latter tax grew out of the willingness of our citizens to pay this further amount in order to secure to our community the comprehensive, liberal and efficient system of education adopted by the Public School Society. If this object shall be defeated, wholly or partially, by a discouragement of their schools, and the substitution of establishments of less general benefit, the repeal or the non-assessment of the additional tax would, we presume, follow as a matter of course.

The designation of the schools which participate of the above fund is confided to the Corporation of the City; the members of the Common Council being annually chosen for the several wards by the citizens of the wards possessing the like qualifications as the electors for members of the State Legislature; and the Mayor, or corporate head, who has a veto on their proceedings, being elected by the whole body of citizens authorized to vote for members of the Common Council. The Corporation is required by law to prescribe the rules and regulations under which the public moneys shall be distributed, and provision has accordingly been made for protecting the rights of the people in the schools of the

society, for the due supervision of the schools, both on the part of the public and of the Trustees, and for securing from the schools a full performance of all their obligations. A failure in the performance would be followed by the penalty of a withdrawal of the fund appropriated for the support of the schools.

The payment of the school moneys, which is regulated by rules prescribed by law, is committed to a Board of Commissioners chosen by the people of the city through their representatives in the Common Council, in a mode analogous to that by which appointments are made by the State Legislature, to the offices of Secretary of State, (who is *ex-officio* the Superintendent of all the Common Schools of the State,) State Treasurer, Comptroller, Canal Commissioners, Senators in Congress, &c. One Commmissioner of School Money is thus selected from each ward, for the term of three years, and any vacancy in their Board is supplied by the Common Council for the residue of the term. The moneys to be distributed are lodged by the Chamberlain of the City to the credit of the Commissioners, in an incorporated bank, from which they are drawn only by checks signed at a meeting of the Board, by a majority of the Commissioners, and made payable to the society. The Commissioners are bound to make visits half-yearly at least, to all the schools; which duty is performed, as to such of the primary schools as are not held in the same building as the public schools, by Committees; and as to the residue, and to all the public schools, by the whole Board. The Board, before making these general visits, are bound to give three days notice of the intended visitation to all the members of the Common Council, and to such members of the Legislature as reside in the city; and some of these representatives of the people always accompany the Board on such occasions. The examinations of the pupils are invariably made at the opening of the book, by any Commissioner or visitor named by the Chairman, at the instant, without any know-

ledge until that moment, on the part of the examiner, teacher or pupil, what book or subject would be selected, or what individual would conduct it. The Board of Commissioners have, besides their stated quarterly meetings, a sufficient number of meetings for the half-yearly visitations, and special meetings whenever occasion requires; and they perform, individually or by Committees, any duties which their office may demand, additional to those above enumerated. Of all their proceedings and reports, a regular record is kept; and fines are, by a voluntary regulation, exacted from absentees from their meetings, without sufficient excuse, to be judged of by the whole Board. Their actual expenses, not exceeding five hundred dollars in any year, are reimbursed to them. Reports, annually made according to law, to the Superintendent of Common Schools, and to the Corporation of the City, show the division of the school moneys, and the manner in which those allotted the preceding year have been expended. They also show the average number of scholars who have belonged to the schools within each quarter, and the average attendances during the whole year; the year being arbitrarily composed of five hundred half days, and the distribution being determined upon the latter average. In regard to attendances, the law of the State prescribes a different mode of reporting them for this city, as distinguished from the rest of the State; the attendances reported from the district schools in the latter, embracing every pupil who has been at school for even a single day, and the distribution being governed by the whole number of children residing within the respective districts, without regard to the extent or duration of their attendance.

The Public School Society, to whom the daily conduct of the schools is committed, is, in effect, under the laws of the State and of the Corporation of New York, the body of citizens possessing the qualification prescribed by the Legislature, and the regulations it has authorized, to entitle them to become voters at the election of Trustees of the Schools

which carry out the system of general education in the city. The qualification consists in the payment at any time of the sum of ten dollars, which forever entitles the contributor to this elective franchise; and, as will be seen hereafter, is founded on a more liberal principle than the qualification prescribed for voters for Trustees of the Common Schools of the rest of the State. The society has the corporate powers often annexed to other franchises, suitable to the accomplishment of its objects; and does not differ in character in this respect, from the quasi-corporations which regulate the district schools. No control can be exercised by the society over the admission of a member; the franchise being obtained as a matter of right, by any citizen, without election, solicitation, or badge of sect or party, by the mere act of the contribution. No one can be excluded from the qualification, who chooses to submit to its requirements; and its essentials are such as every industrious, prudent citizen can attain, by renouncing, for a short time, superfluities or injurious indulgencies. The contribution is equal to a perpetuity of only seventy cents per year. Fifty Trustees are annually elected by these voters from their own body. The society has, in practice, generally adopted the wise policy of preferring those who, in a former execution of the same office, have signalized themselves by their assiduous and persevering attention. An abstract, exhibiting the extent of each Trustee's visitation and superintendence, during the antecedent year, is compiled from the school records, and publicly shown at every election, when inexcusable omission of duty meets its due requital. These fifty, of the very elite of the society, as regards the love of the labor committed to them, and of its faithful discharge, may choose, if they think proper, an equal number of the whole body entitled to vote, as Associate Trustees; and in doing so, they select those whom it is supposed will be most ardent and efficient in the performance of their duty. Such is the formation of the Board of Trustees. For the practical performance of their duty

in the supervision of the schools, the weekly examination of the pupils, and the occasional advice necessary for the teachers, the Trustees are divided into *sections*, each embracing one public school building, and the primary schools attached thereto. Each section meets once in each month, to consider the concerns and interests of its own schools, and to appoint School Committees to superintend them during the recess of the section, and discharge the duties of examination and advice before mentioned. In books of minutes, kept at each of the schools, each member of the Committee must note his attendances, and write any transactions worthy of record. This book is produced and read at the stated monthly meetings of the section, who make a quarterly report to the whole Board of Trustees, embracing a view of the state of the schools of the section; of its own proceedings, and those of its Committees; of the number of times each member of the School Committee has, during the quarter, visited the schools; and of any propositions intended for the consideration of the Board of Trustees at its quarterly meetings. An Executive Committee, of which the Chairman of such section is *ex-officio* a member, is charged with the general superintending care of the schools, during the recess of the Board of Trustees; and meet accordingly once in each month, and oftener, at the request of either of their number. This Committee reports annually, on the general state of the schools, to the Board of Trustees; who, from the materials obtained from all the reports presented to them, and their own observation, report to the society at large. In addition to their quarterly meetings, meetings of all the Trustees are annually held in school hours, in each of the schools, for the purpose of general inspection.

The Trustees are obliged, annually, to report to the Corporation of the city and to the Superintendent of Common Schools, "a particular account of the state of their schools, and of the moneys received and expended by them the year preceding, so as to exhibit a full aud perfect statement of the property, funds and affairs of the society."

The schools of the society are designated by the names of *Primary* and *Public.* The former, of which all the teachers are females, are open to all girls over four years of age, and to boys between four and ten. In these the simplest elements of literary education are taught; and also, among the girls, plain sewing. Perfection in the studies of a lower class is requisite before a child is advanced to a higher. When a pupil has learned to spell correctly and deliberately, read audibly, and write pretty well on the slates, a recommendation is given by the teacher for admission into a public school, and after satisfactory examination the child is advanced. It is enjoined as a duty on the teachers of these schools, to make themselves acquainted with the inhabitants of the district in which the school is located, and particularly with those of the poorest classes, in order to induce them to send their children to school. The better to insure the attention of the teachers to this duty, the amount of their pay is made dependent on the number of children under their tuition.

In the *public* schools, where due provision is also made for the tuition of boys over the age of ten years, who have not acquired the knowledge imparted by the primary schools, the tuition of the boys and of the girls is conducted in separate rooms of the school house, under teachers of their own sex. The course of instruction for the boys embraces spelling, reading, including definitions and questions concerning the meaning of the author, writing, making and mending pens, arithmetic, geography, use of the globes and drawing of maps, English grammar, composition and declamation, book-keeping and the elements of history, astronomy, algebra, geometry and trigonometry respectively. The girls are taught in all these branches, except declamation, algebra, geometry and trigonometry, and with the addition of needle-work. Strict rules of the society secure the punctual attendance of the teachers; their attention to the comfort, cleanliness, and morals of the scholars, to the ventilation and

temperature of the school rooms, to the causes of the absence of pupils, and to the care of the children, as far as possible, both in and out of the schools. The mildest punishments which can produce reform are alone resorted to, and the teachers can expel a pupil, only with the consent of the School Committee or of the section, for habitual disregard of duty or flagrant offence—of which the reason must be communicated to the parent, who may appeal to the Board of Trustees. Registers kept, of the names and occupations of the parents—the names of the children, and of the attendance, merits and deficiencies of the latter, are duly exhibited to the Trustees. The system of teaching throughout the schools is uniform, so that a child removing from one neighborhood to another, is not interrupted in his course by the change of his school. But in order to obtain any advantages that may accrue from the experience of the teachers, or the suggestions of others—stated meetings are held by the teachers for the purpose of considering the means of improving their schools, at which meetings also they compare the progress of the schools respectively. Any improvement in the mode of teaching recommended by a majority of them, if formally approved of by the Trustees, is adopted in practice.

Each school is provided with a thermometer, in order to regulate the temperature of the school in the cold season; and in each public school building, a library is contained, of the value of not less than fifty dollars, nor more than one hundred dollars, consisting of books of voyages, travels, history, &c, to which such pupils as may be selected by the teacher on account of proficiency and good conduct, are admitted, and may take home from thence one book at a time.

The schools are all divided into classes, pursuing in each the same studies. A mere certificate, properly authenticated, that a child is within the ages of four and sixteen years, entitles him to admission in the schools, and the tuition and all books and materials necessary for the education of the pupil, are furnished without cost to his parents or guardians.

By these regulations governing the society and its schools, and other auxiliary provisions, a constant supervision is kept over the scholars, the teachers, the Board of Trustees, its sections Committees and individual members, producing among all the greatest zeal and emulation for the accomplishment of the public aim in view, and resulting in a practical education, offered to the whole youth of the city, carried out in all its bearings with a perfection and efficiency which challenge a comparison of the schools with any others in the world professing the like range of instruction. More than one hundred of these schools are now scattered throughout the city, determined in their location by the wants of the respective neighborhoods—and inviting, by means of agents, who patrol the districts for the purpose, every poor and destitute child whose parents are insensible to their duty to their offspring, to come and partake of the benefits within his reach. Nearly forty thousand children have during the year ending the first day of May last, been enrolled on their registers, and obtained instruction for a greater or lesser period. All this good is effected without the payment of any salary or expenditure, other than the compensation of teachers and agents, the purchase of books and necessaries for the instruction of the pupils, and the erection and repair of the school houses. No personal or individual advantage results to the Trustees from their services, which springing from the noblest feelings of the human heart, secure gratuitously, public benefits of a character and extent that mercenary motives could never accomplish.

Blessings of the magnitude and interest we have described, ought to be carefully cherished by all who can exercise any control over them; and the hand of experiment should be stayed from an interference, that with mere partial objects, of disputed utility, might impair or destroy the general benefit. Sensible of these truths, the great body of the citizens of New York, and their representatives in their local legislature, far from asking any alteration in the system,

have uniformly approved of, and defended it. A number of persons however, mostly of foreign birth, and belonging to a respectable denomination of Christians, the Roman Catholic, have solicited a change, on the ground that their conscientious scruples require that any schools in which the children of their communion are educated, shall, during a certain part of the day, combine the religious instruction of their faith with the literary studies pursued in them. It is proper to add, that by no other denomination has any complaint been made, and that we understand that the sentiment alluded to is not general among the Catholic residents among us from abroad; a large proportion of them believing that the proposed schools would be, for the most part, composed of the children of foreigners, who might thus lose, in a great measure, the temporal benefits to be derived from an association, at school, with the native children of the republic, and that the fitting place for sectarian culture is the pupil's home or his church. At the solicitation, however, before referred to, projects have been submitted to the consideration of the Legislature, which, if adopted, would, we believe, violate the received political maxims which have governed our country; and erect, over the ruins of the noble structure we have described, institutions of narrow and partial utility, exclusive in their composition and government, and condemned by former experience.

Vague and general rumors having found their way to the public, affecting the character and efficiency of the schools, and impugning the conduct of the Trustees of the Public School Society, several gentlemen of the city, described by the Secretary of State to be "eminently qualified," were selected by him, for the purpose of making a personal examination of the schools, who diligently conducted a laborious inquiry, and submitted to that functionary "a mass of valuable information." In his report to the Legislature on the subject of the system of education here, he bears the testimony which will ever be the consequence of such investi-

gations, as long as the schools are conducted as they have hitherto been. "The results of these inquiries," we copy his language, "show, very satisfactorily, that commodious houses and good teachers are provided by the Public School Society; that the system of instruction is well devised and faithfully executed; that an efficient plan of visitation and inspection is prescribed by the Trustees; and, although he has not positive information on the subject, he has no reason to doubt, that such a plan is carried into practical execution." "Certain it is," he adds, "that the Trustees of the Society have exhibited the most praiseworthy zeal and devotion in discharge of the great trust devolved on them; and many, if not all of them, have spared no exertions to bring into the schools the destitute children of the city." But, notwithstanding these favorable results of the efforts of the Public School Society, the Secretary of State informs the Legislature, that the memorials referred to "complain of the operation of a system which, in fact, devolves upon any private corporation, the discharge of one of the most important functions of the government, without that responsibility to the people which is provided in all other cases. They allege," he states, "that, in its administration, the conscientious opinions and feelings of large classes of citizens are disregarded; that other schools, maintained for the same objects, and accomplishing the same benevolent results, are arbitrarily excluded from a participation of a common fund, collected by the joint contributions of all; and that a fearfully large portion of the indigent children are not reached, or in any way benefited, by the system of public education which now prevails." After a long examination of the subject, he recommends, nevertheless, the continuance of the very schools against which such grave objections are advanced, modifying their powers, however, in such wise as to impart to them the character of charity schools, in which no children are to be instructed gratuitously but those of parents whose poverty is proved in exemption of payment, and subjecting to charge the

children of all whose means have exposed them to a double taxation for the support of the system, or who have too much self respect to claim the privilege of paupers. He proposes to engraft on the existing system, provisions introducing the district plan, in operation in the rest of the State, confining gratuitous instruction in the schools, as before mentioned. These propositions are combined with some others, which will hereafter be adverted to, in referring to the bill introduced into the Senate, which we fear, if adopted, will connect the schools with the political struggles at the polls; contemplating, as they do, the creation of offices sufficiently lucrative to tempt the cupidity of the partizan, and thus making institutions intended for the advancement of the young along the quiet paths of learning, the sport of party management, contention and triumph. Of the district system, it is here, perhaps, the proper place to say, seeing that the bill in the Senate does not adopt that part of the recommendation, that we believe it to be wholly unsuited to the city, whose population is frequently changing residence from one district to another; and that schools teaching by dissimilar books, classes and modes of tuition, would be of at least doubtful advantage to the children of the city. Other objections to this plan exist which it is needless to enumerate, when the fact is before our eyes, that the Commissioners of Common Schools in Brooklyn, a city separated from our own only by the intervening river, and whose population more resembles ours in its composition and habits than any other in the state, have pronounced the district system to be inefficient and inapplicable there, and lament that they do not possess schools founded on the plan of those of the Public School Society of New York. Of 7,966 children residing in Brooklyn, between the ages of five and sixteen years, only 2,274 appear by the last schedules presented to the Legislature, to have attended these schools for any period; being about in the ratio of twenty-three out of eighty. In Williamsburgh, an adjoining community on the same

side of the river, where the district system also prevails, only 136 attended out of 943, being in the proportion of one out of seven.

Leaving, then, the further consideration of the results of the district system, which we deem to be virtually abandoned as respects this city, we advert to the objections alleged by the memorials of a portion of the religious sect to which we have before referred. We shall consider them in the order they have been mentioned.

The Catholic memorials complain, first, of the operation of the system which places the education of the youth of the city under the direction of the Public School Society, as "devolving upon a private corporation the discharge of one of the most important functions of the government, without that responsibility to the people which is provided in all other cases."

Let us look into this allegation.

In the discussion regarding the Public School Society, it has been thought advisable, not only to denominate it a *private* corporation, but in some of the publications and speeches that have been made on the subject, it has been branded as a *close* corporation. What attribute it has of a close corporation, no scrutiny has enabled us to discover. That name can be strictly applied, only where the Trustees, or other Governors, constitute the whole corporation, and in case of vacancy in the Board supply the succession by their own votes. The freest definition could only extend it to institutions who are judges of their own members, and can admit to or exclude from their privileges, at the volition of the Corporation itself. No such characteristic belongs to the Public School Society. How far it can justly be considered a *private* corporation, has been seen in the requisites to membership, to which we have adverted. Erected by a law of the State for the avowed attainment of a momentous public object, in the benefits of which every child of that public to

which their sphere of action is confined may participate; open as to membership, to the whole public who choose to acquire the qualification prescribed by the Legislature of this State, as the only requisite to admission, and which depends alone on the act of the individual, without regard to any wish or objection on the part of the other members; subject to the supervision of officers appointed by the representatives of the whole people of the city; and submitting their accounts to the inspection and scrutiny of those representatives, and through the publications of the latter, of the whole people —we apprehend that the Corporation has been denominated a *private* one without due reflection. It is not to be regarded in that light, but as the body of voters in the City of New York on whom the Legislature of the State representing the sovereignty of the whole people, have thought fit to devolve through their own enactments, and the powers they have conferred on the Corporation of the City, the selection of the guardians and supervisors of public education within the city. The qualification to constitute a voter, is a single payment of a small sum of money, which every man of correct habits may soon lay aside out of his earnings, if he feel any interest in the cause of education. The Legislature in 1826, when they changed the charity formerly called the Free School Society of New York, whose tuition was confined to the children of parents unable to pay for their education, into the Public School Society, for the purpose, as the statute expresses it, " so far as their means may extend for the education of *all* children in the City of New York not otherwise provided for, whether such children be or be not the proper objects of gratuitous education, and without regard to the religious sect or denomination to which such children or their parents may belong," evidently expected that the education of all the children in the City, whose parents did not prefer to send them to pay schools, would fall under the control of the Public School Society. They therefore defined by law, the qualification that would be required from any person de-

sirous of being a voter at the election of Trustees of the Public Schools. Proceeding probably on the belief, that all men are not equally qualified by education and habit to judge of the necessary attainments for the beneficial discharge of a literary duty, they deemed some other qualification than mere residence necessary, and fixed upon one in the nature of a property qualification, which however temporary in its possession, would, it was supposed, be durable in its results. Each intended voter was required to make a single payment of ten dollars, for which the privilege sought was promised him for life. This qualification is somewhat analogous to that prescribed for voters at elections of Trustees of Common Schools in the other parts of the State, which is strictly a property qualification, though if not durable in its possession, is only temporary in its results—every person being subject to a fine of the very same sum of ten dollars, for voting at any annual election for Trustees of a Common School, unless he be a freeholder, *within the town* where he votes; be assessed the same year in which he votes or the preceding year, to pay taxes *in said town;* or possess personal property liable to taxation, *in the School District*, of the value of fifty dollars, over and above the list of articles exempted from execution. Between the elective privilege in the city and the country, there will be seen this striking difference, that in the city, the individual who at any time possesses and pays over a ten dollar bill, which if of general circulation may pass hence in a few hours to Plattsburg or Buffalo, obtains a privilege, which whatever be his subsequent fortunes, always accompanies him, and is promised to continue forever; but as regards the country resident, the property qualification is connected with local ownership, and must be continued in its possession; for if, after having been the possessor of real or personal property, in his town or his school district, or paid taxes in his town, he becomes irretrievably ruined, his privilege sinks with his fortunes, and is lost forever.

That the society is a private corporation, cannot therefore, be successfully sustained. Equally untenable, in our opinion, is the allegation, that the function discharged by the society is performed " without that responsibility to the people which is provided in all other cases." The Trustees are placed under the direction of the representatives of the people, of the very community in which they perform their functions, who upon any unfaithfulness on the part of the Trustees can deprive them, and their constituents, of the power conferred on them, and of the funds necessary for its execution. The society is compelled by the law of the State, to conform to any rules and restrictions in regard to the receipt of the public moneys, which the Corporation of the City may by ordinance prescribe; and the ordinance, passed accordingly by the Corporation, subjects them to every rule and restriction that has been deemed proper to secure a strict supervision and accountability. The Commissioners of School Moneys, by whom the visitations to the schools are made on behalf of the community, are charged to report to the Common Council any failure or omission of the Trustees, in regard to the public moneys they receive, in regard to the admission of children to the schools, and to the proper weekly visitation and inspection on the part of the Trustees, of all the schools under their direction. The books of the schools, containing the memoranda of this performance, are at all times subject to the examination of the Commissioners, to whom the returns required by law are made under oath or affirmation. In addition to these guards, the society is obliged to submit, in an annual report to the Superintendent of Common Schools appointed by the State, and to the Common Council of the City, a particular account of the state of their schools, and of the moneys received and expended by them, which may be examined by any citizen disposed to investigate it.

These provisions, if in any manner they differ from those generally governing officers who perform important functions of the government, certainly secure in degree, as ample

a responsibility to the people. The society has now exercised the powers confided to them for more than fifteen years, and in that whole period no valid impeachment has been preferred of infidelity to their trust.

It may be added, in connection with this matter, that in all the plans which have been devised for the alteration of the present system, not a single provision has been suggested, that guarantees from the Public School Society, or the proposed additional schools, increased responsibility to the people.

The second charge assumes, that "in the administration "of the society, the conscientious opinions and feelings of "large classes of citizens are disregarded; and that other "schools, maintained for the same objects, and accomplishing "the same benevolent results, are arbitrarily excluded from "a participation of a common fund collected by the joint "contribution of all."

General allegations like the aforegoing, give no definite conception of the matter of complaint, and present no tangible point for examination. It were better always, and particularly in cases affecting such momentous interests as are involved in the school question, that the griefs should be distinctly alleged, and specifications offered. It is, however, now generally understood, from newspaper publications of essays and speeches, that the violence imputed against conscientious opinions and feelings, is to those of a part of the Catholic communion, who alone constitute the large classes of citizens alluded to; that the schools attached to their churches, governed by Trustees of their own appointment, conducted according to their precepts of religious faith, and ministering, as may well be inferred, to children only of their own denomination, are the schools said to be maintained for the same objects, and accomplishing the same benevolent results, as those of the Public School Society; and that the arbitrary exclusion from a participation in the common fund, collected by the joint contribution of

all, which is complained of, is the refusal by the immediate representatives of the people of this city, to devote a portion of the public moneys towards the support of schools, erected and governed by the Catholic denomination, and inculcating their distinguishing forms and creeds.

That the objects and results of institutions, founded and acting upon principles so widely different as those which distinguish the schools of the sect and of the society, cannot be very similar, is too apparent to need illustration: and if the disregard of the conscientious opinions and feelings of large classes of citizens in the administration of the society, consists, as is inferred, in maintaining a perfect impartiality towards the several religious denominations in the schools, not giving reasonable offence, nor yielding submission, to any, the society has done no more than to be faithful to the purposes for which it was created. The motive to its incorporation is stated in the Charter, to be the education of *all* children, whether or not they be proper objects of gratuitous education, *and without regard to the religious sect or denomination to which their parents belong:* and it would have been a plain infraction of their duty, to fashion the exercises of the schools according to the requirements of any particular church.

The allegation remains, that the sect is arbitrarily excluded from a participation of a common fund, collected by the joint contribution of all.

In adopting a system of general education at the public expense, the object of the State was to give to its youth such an education as would fit them to discharge the civil obligations of this life, leaving it to their natural and ecclesiastical guardians, to prepare them, through a parental and spiritual ministry, to render their account in another world. There ought to be, and there must be, some common platform on which all the children may obtain their secular education, who are destined to act as citizens of the same republic. To that general training, all the children are enti-

tled: but it is *the public* who are to determine on its particulars and conditions, and not the parents who may claim it for their offspring. That a fund has been raised by the taxation of all, for general education, creates no right in the tax paying sectarian to demand that any portion of it be appropriated to the spread of his particular creed. The tax was imposed on him *as a citizen*, not as the member of a church. Its object was to provide for a civil purpose exclusively, not to prepare the path to any designated place of worship. The erection of a church school announces a sectarian object. It has its exclusive rules of system and government; is superintended by Trustees and teachers of a particular faith; religious conformity is indispensable to a participation in its direction, which is not, and cannot, be attained by means of a civil qualification that any citizen may acquire. It is, in truth, a part of the church establishment, and the sectarian of another denomination justly feels, that his privileges are equally violated, whether he be taxed for the support of its religious teacher at the school desk, or for that of its religious teacher in the pulpit. This State has never yet asserted the power to tax its people for ecclesiastical objects: and if its sovereignty comprehends such a power, the rights of conscience require, that the religion of the tax payer be recorded on the assessment roll, and his contribution be dealt to the encouragement of his own communion.

An obstacle arises, perhaps, out of the provisions of our Constitution, to the establishment and conduct of a sectarian school, as a part of the public system, which would be insuperable to some of the claims which have been brought before the public. If the religion of the sect be a necessary part of the education of the children, the choice of a teacher, adequate to the accomplishment of that object, would seem to be indispensable. Such a teacher would probably be found only in the person of one of the Ministers of the religion which the school is to inculcate. If the school which is committed to his direction, be adopted as a

part of the public system, his office thereafter assumes a civil character; his salary is paid by the whole public, out of the proceeds of a general tax. The question immediately arises, whether this would not be inconsistent with the clause of the Constitution which declares, that "no Minister of the "Gospel, or Priest of any denomination whatsoever, shall at "any time, under any pretence or *description* whatever, be "eligible to, or capable of holding any civil or military *office*, "or *place*, within this State."

The Commissioners would suggest, that any difficulties in regard to the religious education of the children, which may be desirable, can be accomplished without a violation of the principles, or a departure from the objects of the school system, by an application of the rule said to prevail in Holland in regard to the schools controlled by the government. A time is there set apart, when the children of the respective denominations are requested to repair to the appropriate places for their peculiar worship, where they are attended by the proper ministers to their spiritual wants. If the Sabbath, and the other day in the week, on which the public schools are closed, be insufficient for this purpose, some additional portion of the week might be dedicated to it. The arrangement would certainly throw an additional burden on the clergy, without additional pecuniary recompense, but their commendable sense of duty in their sacred office, would no doubt disregard any considerations of that sort.

The remaining allegation is, that "a fearfully large portion of the indigent children are not reached, or in any way benefited," by the system of education that now prevails in this city. Fortunately, this is a subject that can be brought to the test of mathematical calculation, by which the figures will show, that the system of education in this city, reaches and benefits the indigent poor, far more efficaciously than the system that prevails in the residue of the State.

In order to prove the destitution of the inhabitants of the city, in respect to education, the Secretary of State reports to

the Legislature, that the whole number of white children in New York, in 1840, "the year in which the last census of the United States was taken, was 62,952, and that 30,758 only are returned as attending some school, leaving 32,194 who were not in attendance on any school whatever." Of the accuracy of the number of attendances thus returned, from the city, doubts have been well entertained, but we shall assume that the aggregate is correct. The inference that all would draw from the manner in which the case is stated, and the argument deduced by the Secretary, is that a fraction more than one-half of the children of the city are trained up in utter ignorance. "With all the commendable and vigorons efforts of the Trustees of the Public School Society," he says, "it cannot be denied that less than one-half the children between four and sixteen years of age in the City of New York are receiving the benefits of any education whatever." A moment's reflection will correct this error. The schools of the society receive all children between four and sixteen years of age; let us say, however, in order to make our estimate tally with the figures of the Secretary, between five and sixteen years. At any time within the portion of their lives embracing eleven years then, they have access to the schools, and in these there is continual change, some retiring and new scholars succeeding. Now if one-half of this class of population, rejecting fractions, is on the average kept at school, it is evident that on the average, each child would receive five and an half years of tuition, which in the New York schools, deducting vacations, amounts to somewhat more than sixty months, or five full and complete years without deduction. In imposing on masters the obligation to teach certain children to read and write, the law of the State gives him the alternative of furnishing two years education as being sufficient for the purpose, and that too, while by another law the common schools of the country are not required to be open more than four months in the year to entitle them to the benefits

of the school fund. If eight months, or even twenty-four months tuition, in such schools as the inhabitants are obliged to accept in some parts of the State, be recognized by the State as enough to qualify a child to read and write, sixty months tuition, in the schools of the New York Public School Society, would not be likely to consign him to hopeless mental destitution. A far less period of education in their youth, and that in many cases of an inferior sort, is all that was enjoyed by many of the men who have illustrated the character of our country, in the literary and philosophical world. Doctor Franklin seems, from his autobiography, to have been finally taken from school at the age of ten years, to perform the humblest offices in his father's business of a tallow chandler and soap boiler, having "failed entirely in arithmetic," though he had "learned to write a good hand," and gained instruction in some other branches.

"A comparison of the results obtained from statistical returns," says the Secretary of State, "between the numbers educated in New York and those instructed in other parts of the State, will exhibit, in a more striking manner, the lamentable deficiency of the former. It appears," he proceeds, "from the report of the Superintendent before referred to, that while there are 592,000 children, out of the City of New York, between the ages of five and sixteen, there are 549,000 attending the common schools. In the City of New York," he adds, "the proportions were as above stated, 62,952 children between the same ages, and 30,758 attending *all* the schools, public as well as private." In another place he states, "that while the Public School Society has *registered on its books* the names of children who have entered the schools to the number of 22,955, *the average actual attendance* of pupils amounts only to 13,189."

It was certainly not the intention of the Secretary of State to do injustice to the city, in the comparison thus drawn.

In making it, however, he seems to have forgotten that the returns from the common schools, and the public schools, differ altogether in their ingredients, and furnish no proper materials for a comparative estimate in regard to them. In the returns of the common schools, all the children who have attended, are indiscriminately numbered as instructed in the schools, whatever be the duration of their attendance, whether for a year, a week, or a day, and whatever be the amount of the tuition they receive. But a different mode of return is prescribed for the city as distinguished from the rest of the State. From the city it is required that there be two columns of returns, neither of which shows the whole number of children "registered" on the books of the public schools, nor has that number accordingly ever been returned until the present year, when it is done as the voluntary act of the Commissioners of School Money, without requirement by law. It amounts this year to nearly 40,000, and could not have been in the year referred to by the Secretary, less than 38,000.

The returns demanded by law from the city, are, firstly, a return of the *average quarterly attendance* in the schools; the number to be ascertained, to follow the words of the statute, "by adding to the number of children on register at the "commencement of each quarter, the number admitted dur- "ing that quarter, and the total to be considered the average "of *that quarter.*" Secondly, a return of the average number that actually attended the school *during the whole year*, to be ascertained by the teachers keeping an account of the number of scholars present every half day, which being added together, and divided by 500, the number of half school days of which the year is arbitrarily declared to consist, is considered the average of attending scholars.

That no just contrast can be drawn from numbers representing, as in the country returns, every child as an attending scholar who had visited the school but for a day, and the city returns whose highest numbers represent only

the average *quarterly* attendance, would not seem to require illustration. As however the comparison has been made in a grave public document, let us examine practically its principles, and see how the returns to the Superintendent, from a public or city school, and from a common or country school, having an exactly equal number of scholars and attendances throughout the year, would exhibit each to the Legislature in the Superintendent's report.

Suppose the year to begin with two hundred scholars; that the two hundred old scholars retire before the end of each quarter; that they are succeeded during the quarter by two hundred new scholars who had never before attended; and that each quarter thus begins with two hundred scholars—what is the comparison they would present in the Superintendent's report?

Let us first take the Public *or City School.*

The year begins with scholars	200
New entries during first quarter	200
Retirements during first quarter 200, leaving for second quarter	200
New entries during second quarter	200
Retirements during second quarter 200, leaving for third quarter	200
New entries during third quarter	200
Retirements during third quarter 200, leaving for fourth quarter	200
New entries during fourth quarter	200
	1600

This aggregate of sixteen hundred, being divided by four, gives the quotient for the quarterly average attendance, of four hundred; which is the largest number returned for the city school to the Superintendent of Common Schools.

Take next its twin brother the country school—what num-

ber would it, under circumstances precisely similar, return to the Superintendent.

The year begins with scholars	200
New scholars, first quarter.....	200
" " second quarter.....	200
" " third quarter	200
" " fourth quarter	200
Number returned....	1000

Thus two schools, not at all distinguishable in their respective numbers of scholars and attendances, would in the Superintendent's report, exhibit an apparent superiority of one school over another, its exact equal in fact, in the ratio of five to two.

Any comparison therefore between the *quarterly* attendances at the city school, and the attendances as we have explained them at the country school, is evidently misplaced.

That between the average *yearly* attendances at the former, and the attendances at the latter, is still more objectionable.

The attendances at the country school, of whatever duration, would amount as we have before seen to one thousand, at which number they would be returned to the Superintendent, and be reported by him.

The average yearly attendances calculated as prescribed by law for the public school, would stand in its return, (judging from the comparative returns of quarterly and yearly attendances to which the Secretary refers,) at two hundred and forty or nearly, at which number they would be reported by the Superintendent—thus exhibiting an apparent superiority of one school over another, its exact equal in fact, in the ratio of more than four to one.

The truth is, and justice to the city when such comparisons are made requires perhaps it be spoken, that the pub-

lished returns to the Superintendent give no definite idea of the amount of public education in the State; being deficient in all particulars of the average *quarterly* or *annual* attendance of the pupils. They announce the whole number of children returned from each school district; the number that attended the school within the time it was open, and the length of the period it was open; but they afford no means of judging, whether a majority or any other definite proportion, attended for more than a week or a day. Nor, apparently, is the number of children returned as having at some time been attending, to be depended upon. Owing to a loose, or an erroneous method, of making up the returns, the number of scholars attending the common schools, has been frequently exaggerated, beyond the number actually residing within the districts. It would be a matter for wonder, if the attendance of every child residing within the districts, could be obtained, even for a day, within the periods that the schools are open; but a more extraordinary phenomenon was presented in the returns for a series of years, exhibiting as they did, the attendance of a much larger number of pupils, between the ages of five and sixteen years, than there were children in existence, between those ages in the whole State. We copy from the schedule F of the last annual report of the Superintendent of Common Schools, giving a "comparative statement of the condition of the common schools from 1815 to 1840," the numbers of children between said ages taught, and the number of children between said ages residing, in all the districts of the State, for the years 1824 to 1829, both inclusive, and have added a column showing the excess of the scholars over the residents.

Year.	*No. of Children taught in the Districts.*	*No of Children residing in the Districts.*	*Excess of those taught, over those in the Districts.*
1824	402,940	383,500	19,440
1825	425,586	395,586	30,000
1826	431,601	411,256	20,345
1827	441,856	419,216	22,640
1828	468,205	449,113	19,092
1829	480,041	468,257	11,784

Even from the returns for the year 1839, upon which the disparaging comparisons of the Secretary are founded, there appears to be in twenty-seven counties of the State an excess of more than twenty-five thousa d children, between the specified ages, taught in their common schools, over the number of the same classes of children residing within those counties, as ascertained by the Trustees of the School Districts. The Superintendent of Common Schools supposes in his last report, that the returns from the schools, which give the attendances, are more to be relied upon, than the returns from the Trustees, of the number of children within the districts: but this idea derives no support from the census taken by the Marshal of the United States, in the year after, when an increase of the number of the children had taken place. The Marshal in 1840, finds an excess in those twenty-seven counties over the returns of the Trustees in 1839, of less than four thousand, leaving yet an erroneous excess in the returns of scholars attending, of more than twenty-one thousand. Other errors are detected, in the returns to the Superintendent. The returns from the Commissioners of Common Schools make the aggregate number of children in 1839, in all the districts of the State, excluding the City of New York, to be 592,564 being more by 14,560 than the whole number of children between five and sixteen years residing in the same parts of the State, in 1840,

which by the Marshal's returns are as ascertained to be	578,004
Difference	14,560
The returns of the schools, exclusive of those of New York, show scholars attending	549,457
The Marshal returns, exclusive of New York....	477,323
Difference	72,134

This difference the Superintendent endeavors to reduce to 42,211, mainly, by deducting 26,869 scholars, returned by the Marshal in another column, as educated at the public charge. The latter number is, however, included in the number of 477,323, above mentioned. In the reports, both of the Superintendent and of the Secretary, it is so regarded when referring to New York, to which 10,213 of the 26,869 belong; but are not credited, in either report, to the amount of education in the city.

It is unpleasant thus to dispel flattering illusions, by which we, in common with the rest of the State, had been misled, until we were impelled to investigate the subject; but it is manifest that mistakes have existed in the public documents relating to the common schools, which the interests, and perhaps the character, of the State, require should not hereafter occur.

Rejecting comparisons, then, drawn from returns to the Superintendent from the city and the country, having no similitude in their particulars, and widely differing in their accuracy, let us seek for better means to determine the truth. These will be found in additional returns by the Marshal, in the census before referred to, which state the number of white persons residing in the city and state, of and over the age of twenty years, *who can neither read nor write.* The

common school system, and the public school system, have respectively been long enough in existence, to test the efficacy of each, upon the persons who, under like circumstances, have actually come within the operation of each, and passed to the age last specified. From the census we find, that the whole white population of the State, excluding New York City, of the age of twenty years and upwards, is 990,792, and that the like population in the City of New York is 163,920. Thus New York, though possessing an aggregate population comparing with that of the rest of the State, excluding New York, in the ratio of little more than one to seven, has a relative white population, of and over the age of twenty years, of about one to six; or, in other words, it has an excess of more than 17,400 white persons, of the age of twenty years and upwards, over its due proportion, as compared with the aggregate population of the other counties. The number of whites, of the age of twenty and upwards, in the State, who can neither read nor write, is 43,705, of whom there are in New York 7,778, and in the rest of the State 35,927, showing an excess of 1,732 individuals only, in the city, out of a population of 312,932, over its due proportion in the comparison with the counties, if all other circumstances were exactly equal.

But it is to be recollected, that in every year an immense laboring population is arriving from abroad; many of whom, wholly uninstructed, remain in the city, by reason of the labor to be obtained therein, and their capacity for its performance, whilst the mass of the more fortunate class go to the country. The wonder, therefore, is, that the excess before mentioned, of 1,732 persons, is so small. The alien population constituted, in 1835, when the last State census was taken, somewhat more than one-fifth of the whole population of the city; and that of the rest of the counties somewhat less than one-seventeenth of their whole population. The census taken by the Marshal, in 1840, does not furnish the alien population for the city, or for the State. If it has

kept pace with the ratio for 1835, the number of white aliens, of and over the age of twenty years, in the city, is about 32,500; being more than fourfold the number of the whites of the same age who cannot read or write; while the number of aliens in the counties, of and over the age of twenty years, is about 53,350; being less than one and an half times the number of whites of the same age who cannot read or write.

A large portion of the alien population in the city is poor, or on the verge of poverty, and may be presumed to comprise much ignorance; brought up, as it has been, in countries where the blessings of education are not diffused as in this. Some idea of the extent of the ignorance among adults, thus settled among us, may perhaps be gathered from the poverty which appears to exist in their families. A report of the former Secretary of State, (Mr. Dix,) shows that in the year ending the first December, 1838, a year when labor for the poor was very difficult to obtain, the whole number of foreigners relieved or supported by public charity, in the State, was 64,570; of whom 59,522 were in the City of New York, and only 5,048 in the other counties. He adds, "that in the County of New York foreigners ap-"pear to constitute more than seventy-three per cent. of the "whole number of persons relieved or supported, while in "the other counties they constitute but little more than twenty "per cent. of the whole number."

These explanations fully account for the entire number of white persons in the city, over the age of twenty years, who cannot read nor write—even supposing that the Public School Society, and the pay schools, had hitherto in due time educated every individual between four and sixteen years, within our boundaries, during that interval, or any part of it. Connected with the returns of the Marshal, illustrating this matter, they show, contrary to the opinion which the Secretary has pronounced, that the Public School Society

has "accomplished the principal object of its organization, "the education of the great body of *the children* of the "city." Notwithstanding the very disproportionate influx of foreign population into this city, as compared with the rest of the State, the struggles of the society have kept down ignorance, to an extent which no system, less efficacious and liberal than its own, could have effected; and has enabled the city to make a positive comparison, waiving the consideration of its disadvantages, with many of the counties of the State, some of which are embraced among the twenty-seven which exhibit, in the Superintendent's report, so flourishing a state of education within them.

Of the white persons, of and over the age of twenty years, who cannot read or write, there is, rejecting fractions:

In the City of New York, one out of every twenty-one.
County of Montgomery, one out of every twenty-one.
Rensselaer, one out of every twenty-one.
Wayne, one out of every twenty-two.
Steuben, one out of every twenty.
Delaware, one out of every twenty.
Columbia, one out of every twenty.
Essex, one out of every twenty.
Dutchess, one out of every fifteen.
Franklin, one out of every fourteen.
Fulton, one out of every fourteen.
Monroe, one out of every thirteen.
Chemung, one out of every twelve.
Sullivan, one out of every twelve.
Lewis, one out of every eleven.
Putnam, one out of every ten.
Tioga, one out of every nine.
Herkimer, one out of every eight.
Clinton, one out of every five.

We have thus sufficiently disposed of the charge, that "a "fearfully large portion of the indigent children are not reach-"ed, or in any way benefited," by the system of education that

now prevails in the city. The want of support for the charge will, however, become still more apparent from the comparisons that follow.

The number of paupers, "the indigent" emphatically, in the State, in 1840, as returned by the Secretary of State to the Legislature, is 56,561. Of this number 27,553 were in New York, and the residue, 29,008, in the Counties. Looking to the proportion which the population, of twenty years of age and upwards, in the city, and in the counties respectively, bears to the aggregate population of each, the paupers of the counties would comprise 13,579, of and over the age of twenty years, and the paupers of the city would comprise 14,432, of and over that age; the larger number in the city arising from the fact before mentioned, of its having more than 17,400 persons, of twenty years and upwards, beyond its proportion, as compared with the aggregate population of the counties. The paupers, then, of the city, of and over the age of twenty years, bear the proportion to its inhabitants of like age, who cannot read or write, of 14,432 to 7,778; making the ratio of the paupers to the untaught, nearly two to one, and showing that almost one-half of the very indigent (throwing altogether out of view the accession of untaught persons from abroad) have been "reached or benefited" by the public schools: whilst, in the counties, the proportions would be 13,579, paupers to 35,927 untaught; showing that a number of persons equalling all the paupers, besides about one and two-thirds their number, from among those in better circumstances, had not been "reached or benefited" by the common schools. In other words, the untaught in the city would be, in comparison with its poor, as little more than one to two; while in the counties the untaught, in comparison of their poor, would be more than five to two; thus making a difference in favor of the city, as contrasted with the counties, upon a comparison of their poor and of their untaught respectively, in the ratio of about five to one.

There is no doubt, that a commendable anxiety to

educate the poor, has fearfully exaggerated the number of those who in this city obtain no instruction. *We* had, in some degree, participated of this delusion. It is true, that idle children are found in various parts of the city, whose own perverseness, or whose unfeeling parents, prevent them at times from coming to school; but, although they may not attend this month, they find their way to school the next; and, the mode of tuition in all the schools being uniform, thus pick up, from month to month, the elements of learning. An illustration of this is derived from the fact, that during the last year more than twenty-one thousand children retired from time to time from the public schools, their vacant places being refilled by others. In no other way than we have suggested, can the results we have presented be accounted for. If no entreaties avail in attracting idle children to school, the poverty of their parents, or their own vicious course, insures their destiny to the Poor House, or the House of Refuge; whose wholesome discipline imposes the necessity of attending to their books. As fast as the foreign population increases, their children are made the objects of our liberal system. Thus we believe, that the portion of the young who, in our city, grow up without education altogether, is very insignificant indeed.

In presenting the statistics contained in this report, some errors may possibly have occurred, drawn, as the materials have in part been, from various columns of the Marshal's census, and the Superintendent's report, and undergoing, as they necessarily have, after-processes of calculation. We have intended them, and believe them to be, wholly free from error, and therefore invite all just criticism. If any mistake has accidentally crept in, sure we are, that it is not of a character, or amount, that can affect substantially the general tenor of our statements and conclusions. In making the estimates we have used the Marshal's returns as printed by order of our State Legislature, and have pursued the Superintendent's method of ascertaining therefrom the

number of children between the ages of fifteen and sixteen years.

Having thus examined the objections which have been advanced against the public school system, it may be proper to look into the bill reported to the Senate, proposing a substitute. This bill, we understand, received the approbation of the remonstrants, (alluded to by the Secretary of State,) who sent numerous Committees from this city to the Legislature, to urge its adoption; and the effort for its passage will probably be renewed at the next session. It may be assumed to have been prepared under the direction of the memorialists; nothing being more common than to introduce a bill into the Legislature, framed by the applicants, so that all their propositions may have a fair chance of due legislative discussion and inquiry. We shall therefore regard it as the bill of the remonstrants, and speak of its provisions accordingly. Never, probably, in the history of legislation, were the avowed objects of a bill more at variance with its actual tendency than this.

The remonstrants profess, in substance, a desire that the people shall have a more direct control and administration of the public school system in this city; and for this purpose they commence by taking from the Common Council, the immediate and comparatively numerous representatives of the people, and the guardians of their local interests and concerns, all connection with, or control over, the schools, whatsoever. In place of the Corporation, and the Commissioners of School Money chosen by them, the bill proposes to place the whole government of the system under seventeen Commissioners of Common Schools, one to be elected by the qualified voters of each ward, at the charter election; thus affording the desirable guarantee for a pure and efficacious administration of the system, by connecting its destinies with the political contests of the wards; with the cabals, intrigues, and bargainings of Committees, appointed, not at primary meetings of the *people*, but at partial and

interested meetings of partizans; and with the fierce strife of party animosity. In a spirit of hostility to *close* corporations, and of any abatement of the people's rights—the Commissioners of Common Schools are erected, immediately upon their election, into a close corporation, for their term of service; filling vacancies whenever they occur in their body, by the votes of the residue; so that by possibility it might happen to become a Board, not one of the members of which had received the popular suffrage; and in no case would the inhabitants of the ward in which the vacancy occurred, have any voice, directly or indirectly, in the choice of its new Commissioner. Zealous, as the title of the bill purports, "to *extend* the benefits of common school education in the City of New York"—it banishes from the schools all the children, forming so numerous and interesting a class in the primary departments, between the ages of four and five years, by taking away from them all the benefits now enjoyed by them from the school moneys; and it directs the appointment, by the Board of Commissioners, of a Superintendent and Clerk, (offices which would inevitably become political rewards,) who are to have the first lien on the school moneys, for the payment of their annual salaries, amounting to three thousand dollars: a sum equivalent to the average tuition in the public schools, of one thousand scholars, including the average expenses of teachers, school books, slates, pencils, writing books and pens, maps, school library furniture and room hire. Deprecating grants of power to any private corporation to disburse the public moneys, as wrong in principle and an invasion of popular rights—it contains provisions, compulsory on the Commissioners and the Public, to admit any number of persons who may choose to associate for the purpose, and *such others only as they in their pleasure may choose to adopt as their associates*, to the privileges of a district school, and to a participation and expenditure of the school moneys; upon the conditions that the associates will

stipulate for the continuance of their school for at least one year: will make it appear that their school will promote the interests of education, and will not interfere with any school already established; and that the persons applying are able to maintain a respectable school for the instruction of children in the branches usually pursued in common schools. Ardent to impart the benefits of education to all—it prescribes no regulation under which *all* must be admitted, on equal terms, to the contemplated schools. Sensitive to the just rights of the tax payers in the city, whose contributions to the cause of education are comparatively nearly threefold those of the tax payers, for the same object, in the counties—the proposed system embraces enactments whose operation would probably drive their children from the schools; and at best would leave them but the gleanings, after the harvest had been reaped by those who pay no tax at all. Paying homage to the merits of the schools of the Public School Society, it adopts them as part of the system; but takes from them the means of sustaining their present character and usefulness, and divests them of two of their noblest distinctions—that which forbids the inquiry whether the parent can or cannot pay for the education of his child; and that which, with a just regard to the principles regulating our political institutions, mingles the children of *all*, without reference to adventitious circumstances of fortune, in a competition for eminence: resembling the struggle in which they are destined to engage, upon terms of like equality, in their future character of men of the nation. Solicitous for the protection of religion—whilst it erects establishments that may be devoted to sectarian objects, it also fashions schools in which infidelity may be taught, at the public expense. Professing to pay respect to the feelings inseparable from a due appreciation of the rights of freemen—it humbles the citizen to the proof of pecuniary destitution before he can obtain a gratuitous education for his child; and demands that the name of the latter be then enrolled as the recipient of pub-

lic relief, on documents open to the inspection of every inquirer: thus carrying down the record of the receipt of public charity, as the accompanyment for life, of the youth who, under the existing system, obtains a good education, *as a right*, without disclosing the circumstances of the parent to any. Many of our mechanics, and other most useful population, whose struggles enable them to subsist their families, can ill afford the cost of the education of their children; but the just sensibilities belonging to freemen, would prompt the indignant refusal of any benefit to their offspring, to be obtained only upon such degrading conditions.

Other objections, not here necessary to enumerate, might be advanced against the project in question, or any other at all resembling it. The fact that a bill containing clauses so odious, might possibly have received legislative sanction, without being duly considered by the community on whom its injuries would most immediately fall, admonishes the necessity, before the present system of education for the city shall be changed, of a reference to that community, of any proposed substitute, in order that they may pass upon it distinctly, by the ballot box. Of the vast benefits derived from the practical operation of the public schools in this city, there are not, that we are aware, any differences of opinion, among those who have visited them, and impartially examined into their effect. Advantages of such magnitude, securing, as they do, results of incalculable consequence to the intelligence and morals of the city, should not be hazarded for the sake of untried or exploded systems, that, after inflicting their evils, will cause us to deplore the sacrifice of an healthful state, which, if to be regained at all, will require many years for its restoration. Sensible of their duty to the public, the Commissioners have not felt at liberty to avoid that faithful exposition of their views which the occasion demands; and they pray the Corporation of the City, and the Superintendent of Common Schools, and

through them the Legislature of the State, to give such a cautious and deliberate consideration of the whole subject, as the immense interests involved, and any convictions herein expressed, may respectively appear to deserve.

SAMUEL GILFORD, Jun,

Chairman.

GEORGE W. STRONG,

Secretary,

SCHEDULE No. 1,

REFERRED TO IN THE AFOREGOING REPORT.

Sums deposited by the State.

From the revenue of the Common School Fund, and the income of the United States Deposite Fund			$35,415 10
Sums deposited by the Corporation of the City of New York.			
Amount equivalent to the above deposites of the State	$35,415 10		
Amount of special tax..$60,000			
Less $500 expenses of Commissioners....	500	59,500 00	94,915 10
		Total Deposites.....	$130,330 20
Balance left in Bank last year to the credit of the Commissioners			7 62
		Whole amount of Credits.....	$130,337 82
		Amount distributed this year.....	130,323 97
Balance in Bank of the State of New York to the credit of the Commissioners			$13 85

SCHEDULE No. 2,

REFERRED TO IN THE AFOREGOING REPORT.

SOCIETIES OR SCHOOLS.	No. of Schools.	Whole No. of Scholars taught within the year.	Average No. of Scholars in attendance quarterly.	Average No. attending during the whole year, according to Corporation rate.	Actual average No. in attendance during whole year.	Amount of School Moneys distribnted.
Public School Society of New York	102	39,557	23,654	14,034	14,772	$120,271 38
New York Orphan Asylum	2	182	176	160	160	1,371 20
Catholic Orphan Asylum	2	178	178	178	178	1,525 46
Half Orphan Asylum	1	112	112	112	112	959 84
Institute for the Blind	1	88	71	69	69	591 33
Mechanics' School Society	2	117	95	78	83	668 46
Harlaem School	2	335	253	115	120	985 53
Yorkville Public School	2	624	442	279	260	2,391 03
Manhattanville Free School	2	97	97	97	97	831 29
Hamilton School	1	26	26	26	26	222 82
Association for the Benefit of Colored Orphans	2	69	59	59	59	505 63
	119	41,385	25,163	15,207	15,936	$130,323 97

N. B. The Public School Society taught in the schools appropriated to them 1,416 colored children—also, not above enumerated, 397 children under four years of age.

SCHEDULE No. 3,

REFERRED TO IN THE AFOREGOING REPORT.

Societies or Schools.	Amount paid by Commissioners in 1840.	Manner in which it has been Expended.	Time Schools were Opened.	State of Schools, their Property and Affairs.
Public School Society of New York..	$115,799 42	Payment of Teachers and general expenses.	Whole Year.	Not reported.
New York Orphan Asylum.....	1,448 70	Paid Teachers.	50 Weeks.	Asylum Building and Grounds. Balance in Bank $42 79.
Catholic Orphan Asylum	1,387 24	Paid Teachers.	11⅓ months.	Asylum Buildings.
Half Orphan Asylum	1,053 60	Payment of Teachers, &c.	Whole Year.	New School House.
Institution for the Blind	518 02	Teachers' Salaries.	Do.	Sundry buildings.
Mechanic's School Society	500 46	Teachers' Salaries.	Do.	School Buildings, Library, &c.
Harlaem School.....	904 34	Teachers' Salaries.	Do.	School House and Lots.
Yorkville Public School.....	1,905 26	Teachers' Salaries.	11 Months.	School House and Lots: Debt $1300.
Manhattanville Free School.....	763 86	Teachers' Salaries.	49 Weeks.	School House and Lots.
Hamilton Free School	140 48	Teachers' Salaries.	Whole Year.	School House and Lot.
Colored Orphan Association.....	456 56	Payment of Teachers.	Do.	School House and Lots.
	$124,877 94			

DOCUMENT No. 23.

BOARD OF ALDERMEN,

JULY 26, 1841.

Report of the Committee on the Croton Aqueduct, in accordance with an Ordinance to provide for the Accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The report of the proceedings of the Croton Aqueduct Committee since the last regular meeting of the Board of Aldermen. The Committee met July 26th, 1841, present Aldermen Williams and Lee, Assistant Aldermen Brevoort and Ward.

The Aqueduct Commissioner presented the bills enumerated in the following schedule; which, after examination, were audited and directed to be paid, all present voting in the affirmative.

Voucher.

No. 236	Pay list 1st company of aqueduct workmen					$535 42	
237	"	"	2d	do.	do.	238 82	
238	"	"	3d	do.	do.	288 44	
239	"	"	4th	do.	do.	255 88	
240	"	"	5th	do.	do.	241 41	
							$1,559 97
241	Pay list for cartage of pipes						922 50
242	Stephen Colwell, bill for pipe						7,908 04
243	Chollar & Jones, do.						3,557 68
244	David C. Wood, do.						2,572 40
245	Ward, Stillman & Co. do.						4,310 21
246	John Cumings, do.						1,427 12
247	Joseph W. Brick, do.						5,373 27
248	A. M. Jones & Brother, do.						235 41
249	James Robertson, bill for stopcocks, &c.						2,170 00
250	John J. Moffat, do. stopcock boxes						1,386 00
251	T. & G. Rowe, do. castings						512 92
252	Moore & Vanderbeck, bill for tools and repairing do.....						267 56
253	Reuben Smith, bill for pine wood						50 25
254	Samuel Lockwood, do.						49 50
255	William Plumb, do. for sundry bills ...						191 53
256	John Cumings, bill for branches, &c....						485 96
							$32,980 32
257	Ellicott & Brothers, bill for pipe..... (*Payable in 5 per cent. bonds.*)						8,358 07
							$41,338 39

RICHARD S. WILLIAMS,
FREDERICK R. LEE,
HENRY BREVOORT,
DANIEL WARD.

DOCUMENT No. 24.

BOARD OF ALDERMEN,

AUGUST 2, 1841.

Report of the Joint Committee on Fire and Water, to amend the ordinance in relation to the Fire Department, Concurred in.

SAMUEL J. WILLIS, Clerk.

The Joint Committee on Fire and Water respectfully

REPORT:

That in the course of their examinations into the present situation of the Fire Department, they have become satisfied that a large amount of money can be saved to the Common Council, without any material inconvenience to the Department, by an alteration in the ordinance, by which the services of two individuals attached to each company, for the purpose of keeping the apparatus in good and complete order, and under pay by the Common Council, shall be dispensed with, and in lieu of whose salaries a small annual appropri-

ation shall be made to said companies, to be expended by them for purposes connected with their implements.

In accordance with these views, the Committee has addressed a circular, a copy of which is hereunto annexed, to each of the said companies, requesting them to dispense with the services of such persons, from and after the first day of August instant, and which they presume has been generally done.

For the purpose of carrying out this object, it will be necessary to amend the ordinance in relation to the Fire Department, and they therefore offer for adoption, the annexed ordinance.

Respectfully submitted.

C. B. TIMPSON,
A. HATFIELD,
MORRIS FRANKLIN,
DANIEL WARD,
DANIEL D. BRIGGS,
WM. ADAMS,

Joint Committee on Fire and Water.

AN ORDINANCE

TO AMEND AN ORDINANCE IN RELATION TO FIRES AND THE FIRE DEPARTMENT.

[Passed April 23, 1839.]

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

1. That sections 34, 35, 36, 37 and 38, of Chapter XV. of the ordinance relative to the Fire Department, be, and the same are hereby repealed; and that the same take effect from and after the first day of August, 1841.

Passed the Board of Assistants, August 2, 1841.
Passed the Board of Aldermen, August 4, 1841.
Approved by the Mayor, August 6, 1841.

DOCUMENT No. 25.

BOARD OF ALDERMEN,

SEPTEMBER 6, 1841.

Communication from the Superintendent of Streets, in relation to sweeping the streets. Laid on the table and ordered to be printed for the use of the members.

SAMUEL J. WILLIS, CLERK.

Resolved, That the Superintendent of Streets report to this Board if a change can be made in the Department of Cleaning Streets, whereby a saving could be made to the city. Also, that he report his plan of organization or re-organization of the Department to effect the same, and that he, the Superintendent, be requested to present his report at as early a date as possible.

By EDWARD S. INNES.

Resolved, That the Superintendent of Streets report to this Board what additional expense, if any, has been incurred and charged to his Department during the past year, in con-

sequence of laying water pipes through the different streets; and also communicate such suggestions as he deems expedient relative to the subject.

By Elijah F. Purdy.

To the Hon. the Board of Aldermen:

Gentlemen—

In obedience to the call of your Honorable Body, the Superintendent of Streets respectfully submits the following report in answer to the annexed resolutions:

Feeling very sensible of the importance of the subject referred to him for inquiry, not only as regards the expense, but the health, comfort, convenience and business of our fellow citizens generally, the cleanliness of our public streets being so important to the health of the city, that it has engaged the earnest attention of the Common Council at different times, as to the most prudent and effectual method of cleaning the same.

The streets have, in former years, been cleaned by contract, and not giving that satisfaction to the public that was anticipated from that system, it was abandoned, and they were afterwards cleaned by the inhabitants, each sweeping or hoeing before their own premises, and the Superintendent of Streets removing the dirt after it had been collected in heaps by them. This plan not keeping the streets in as clean a condition as was desirable, and in consequence of the cholera, in the year 1832, the present system was introduced, the Superintendent believes, in July of that year.

The expense of cleaning streets, over and above the receipts, for the year 1831, amounted to the sum of $1452 32; in the year 1832, when the present system was introduced, and that for only six months of the year, the expense of the

Department over its receipts reached the amount of			$28,988 28
In the year	1833	they amounted to.....	45,845 09
"	1834	"	59,420 88
"	1835	"	77,966 30
"	1836	"	137,649 04
"	1837	"	118,543 22
"	1838	"	99,709 49
"	1839	"	95,164 06
"	1840	"	111,218 93

From the above, it would appear that the largest amount of expenditure occurred in the year 1836, when from the great fire and continued snow, it required a very heavy additional expenditure to keep the streets in a passable condition.

The expenses of cleaning the streets during the years 1837 and 1838 amounted to.....	$218,252 71
In 1839 and 1840, they amounted to.....	206,382 90
Less during the last two years.....	$11,869 81

In May, 1839, the Common Council passed an ordinance requiring the receiving basins of the sewers to be cleaned by this Department, thereby adding a heavy additional expense on this branch of the city service. From a calculation made by the Superintendent, together with the Street Inspectors, the additional expense of cleaning the receiving basins of all the sewers in the city, amounted to the sum of 10,000 dollars per annum, for the last two years. In the year 1839, there was an alarm of yellow fever, requiring an additional expense, which, together with the fire that occurred in June in Canal street, amounted to about $5,000, though that year it will be perceived is least in expense for the last five years.

The year 1840 it will be seen has increased in expense about $16,000 over the expenses of 1839, the main cause being the laying of water pipes and the increase of coal ashes.

The laying of pipe, while it has greatly enlarged the ex-

pense of the Department, has, in a corresponding ratio, lessened the receipts of the same, as it is necessary in order to secure the pavements in all streets through which the pipes are laid, to let the sand remain on the top of the trenches for twenty or thirty days; the consequence is, the rains, and carts, and carriages keep working it over the streets and into the gutters, not only occasioning the loss of much valuable time, but also a total loss of the manure, as it requires some two or three months from the time the pipes are laid, before the sweepings are saleable.

The want of sufficient places of deposite for dirt and ruffage on the west and north-west section of the city is a very serious inconvenience to the economical administration of the Department; at present there is no place of deposite for dirt and ruffage on the west side of the city, except between Washington and West streets, near the Battery.

The Superintendent will, of necessity, be compelled to employ vessels to carry the same away, unless your Honorable Body should direct a bulkhead to be built on the North River, somewhere between Canal and Sixteenth streets, or adopt some other suitable remedy.

To cart the dirt of the Eighth, Ninth and Sixteenth wards to the Battery would involve an additional expense, as the difference would average near two miles, making about four miles travel with each load; the owners of lots in that vicinity are suffering severely, and it is not unfrequently that the Inspectors have to remove in the morning what the private carts have deposited in the streets over night.

The late contract for laying ten miles of water pipe, being principally in that section of our city, the most difficult at present to dispose of the surplus dirt and ruffage that will necessarily accrue in the completion of the work; and as contractors do not generally find it to their convenience to take away any more than is specified in their contracts, it usually leaves a large surplus to be removed by this Department.

The expense of cleaning up after the laying of water pipe

has cost this Department from two hundred and fifty to three hundred dollars per mile.

If the contracts were so given out that the contractors were compelled to leave the streets in as good condition as when they commenced their labor, it would not only prove a great saving to the city in this Department, but would also be a source of gratification to the residents on the line of streets through which the pipes are laid.

The increase of coal ashes is becoming a very burthensome expense on the Department, having to remove from 2500 to 3000 loads per week, during five months of the year, and cart a part of the same near two miles.

If the ashes were screened they would furnish a large amount of fuel for the out-door poor of the city. From an experiment made in the winter of 1839 and 1840, as per direction of the Committee of Cleaning Streets, the Department was enabled to supply from fifteen to eighteen hundred poor families every other day with fuel, the expense of which the Superintendent is of opinion is not justly chargeable to the Department of Cleaning Streets.

From my experience in the Department of Cleaning Streets, I am of the opinion the present system is not free from objections, nor do I presume that I can devise one that will be acceptable in every particular. That the system of cleaning streets can be so amended as to ensure a saving of a large amount to the City Treasury, and a cleaner state of the streets, I have not a doubt.

The most formidable evil consists in the indiscriminate manner in which all kinds of vegetables, offal and garbage, coal ashes, shavings, dust, straw and building rubbish, the cleaning of houses, cellars, vaults, &c. &c. are thrown into the streets: and it is no uncommon occurrence after a street has been thoroughly swept and cleaned, and the sweepers not fifty yards distant, for the inhabitants to immediately commence throwing all manner of filth and dirt into the streets; that often after the street has been swept, the Inspectors have to direct a cart back to take up what has been thrown

out; and it would appear as though sweeping the streets reminded others to sweep their cellars and yards. From the large number of private collectors of garbage, it would appear that there is little or no use, (except the cleaning the markets and limits thereof, together with the scraping it up out of the streets) to send the Corporation carts after it, as the garbage from the hotels, boarding houses, and large dwellings, is generally sold or given to private collectors; and when they fail to come after it, and it becomes so noxious that it cannot be retained longer on the premises, it is then given to the Corporation carts, or thrown into the streets, to the annoyance of passers by.

If the dirt carts were all licensed, their boxes made agreeable to law, it would prevent a vast quantity of dirt from falling in the street, which not only makes the street filthy but ruins the manure, and the load that would bring twenty-five cents, has to be dumped at a longer distance of cartage for nothing.

If all the officers of the Corporation would readily enforce the ordinances in their respective departments, it would materially lessen the expenses of this Department, and our streets, wharves and piers would present a degree of cleanliness not inferior to our sister cities of Boston and Philadelphia.

The hawking and peddling of fish and vegetables through the streets, is also a fruitful source of filth, as all decayed fruit, corn husks, fish heads, &c. find a general receptacle in the streets, to the manifest benefit of the numerous herds of swine with which our city abounds.

It will be seen, by reference to the Corporation Ordinances, in the organization of the Department for Cleaning Streets, there are officers appointed whose whole time and attention are required, and on whom rests the responsibility of the cleanliness of the city.

In the above remarks the Superintendent has special reference to the manner in which the Street Inspectors are

attached to the Department. It will be seen by reference to the law creating the Department and specifying the duty of the Inspectors, that they are required to act as Assistants to the Superintendent, and pay special attention to the demands of the Department in their respective wards.

In the multiplicity of other duties required of them they are unable to pay that strict attention to the duties in cleaning streets, that is necessary to the prompt removal of filth and other nuisances, and the consequence is an evident remissness of duty on the part of many in the employ of the Department.

The Superintendent is of the opinion that their duties should be confined to the wants of the Department in their respective wards, or that they be taken off altogether for other duties, such as enforcing the Corporation Ordinances, and assisting the Aldermen and Assistants in their many diversified duties; or should there be one capable person appointed to act as foreman of each gang of cartmen and sweepers, whose whole time and attention would be with his men, with a deputy to assist the Superintendent, the streets would soon present a different appearance for cleanliness, and the expenses of the same be reduced. Or if the dirt was carted at per load out of each ward, it would ensure activity among both sweepers and cartmen, and honest industry would meet a just reward: and while the expense would be reduced, the streets would present a different appearance for cleanliness, as interest has always proved a powerful stimulant to action.

While the Superintendent of Streets does not wish to be understood as being opposed to cleaning the streets by contract should it be considered most advantageous, or less expensive, still he cannot withhold the expression of his opinion, that many objections and serious inconveniences would necessarily attend an entire change of the present system.

In order to give his views more explicit, he would make a quotation from Document No. 73—" that while your Com-

mittee in all instances guard with rigid care the public money, and strenuously urge and require the strictest economy in its expenditure, yet in relation to a subject of such vast importance as the present one, affecting in a measure the lives, the health, and the happiness of our fellow citizens, expense may well be considered a secondary and incidental consideration."

All of which is respectfully submitted.

WM. GAGE,

Superintendent of Streets.

DOCUMENT No. 26.

BOARD OF ALDERMEN,

SEPTEMBER 20, 1841.

Report of the Committee on the Croton Aqueduct, in favor of discontinuing the salaries of the Water Commissioners. Laid on the table and ordered to be printed.

SAMUEL J. WILLIS, CLERK.

The Committee on the Croton Aqueduct, to whom were referred the annexed preamble and resolution, in relation to the salaries of the Water Commissioners, respectfully

REPORT:

They have given to the subject that attention which its importance demands. The amount of money involved in the question is, by no means, so important as the principles connected with it. The Water Commissioners are appointed by the Governor and Senate of the State, not by the people of the city or their representatives in the Common Council.

As the agents of the state authorities they may, with few restrictions, expend large amounts of public money, with but little accountability to those upon whose property taxes hereafter will be levied to meet the engagements and pay the debts which they have contracted, or in future may incur, independent of the people of the city and the Common Council; representing neither, and yet empowered to incur obligations binding upon them; expending as they annually do (by their own statement) in the payment of salaries (their own included) over 36,000 dollars. It becomes a matter of great importance to the public whether an effort shall not be made to reduce those expenditures when the interests of the people do not require that they should be incurred.

If the public good demanded the continuance of the office of Water Commissioners, and their long train of subordinates, at the immense annual expense of 36,000 dollars, your Committee would not propose the reduction of the expenditures; but they are satisfied that at the present time no necessity exists for the payment of so large an amount for salaries from the public treasury—the work being almost completed. At all events, it has progressed so far as to require no longer the supervision or visitation of the Commissioners. The numerous corps of engineers and their assistants, of inspectors, axe-men, &c., may be dispensed with to a very great extent.

There is but little to be done on the line of the aqueduct, and that little is confined to, partially one section of the aqueduct, the bridge over the Harlaem River, the completion of the reservoirs and works immediately connected therewith, and the repairs of the dam in the Croton River, destroyed by a freshet during the last spring. This being the case, so great a disparity existing between the present state of the work and its condition at the period of, and for a few years after its commencement, it certainly cannot be alleged that the same necessity exists now that existed then for the continuance in office of so large a body of officers, attendants, &c.

To a correct understanding of the question, so far as re-

lates to the necessity of a Board of Water Commissioners as supervisors of the work at the present time, it will be proper briefly to examine their duty as imposed by the several acts of the State Legislature, and the ordinances of the city.

Under the several acts authorizing the appointment of a Board of Water Commissioners, and the proceedings of the people and the Common Council of the City thereon, the Board were empowered to prepare and submit to the people and the Common Council for approval and ratification, a plan for the introduction of the water of the Croton River into the City of New York. They were also authorized to make contracts, binding upon the treasury of the city, for the purchase of the necessary lands and the construction of the aqueduct: to supervise the work, and do such other acts, within the letter and spirit of the Statutes of the State, and the Ordinances of the City, as might be necessary to the completion of so great an undertaking.

This power was confined to the aqueduct from the Croton River to the distributing reservoir at Murray's Hill. The Commissioners have thought that their power extended farther, even to the laying of the distributing pipes in the streets of the city. This view of the Commissioners was refuted by the reports of Committees of both branches of the late Common Council, who contended that the powers of the Commissioners extended no farther than to the rights and duties therein before mentioned. The views of the Committees of the late Common Council were fully sustained by the Court of Chancery and the Legislature of the State; the Court referred to, having determined, (through his Honor Judge Willard, who heard the argument upon the subject, in the place of the Chancellor,) that the powers of the Commissioners extended no farther than the construction of the reservoir at Murray's Hill, and the Legislature having expressly sanctioned and adopted that view, in their late Act upon the subject, by which the whole control of the distribution of the water is conferred upon the Common Council. This is now the law

of the land, and as such must, and undoubtedly will, be obeyed by all parties. This being undeniably the law, whatever facts or circumstances go to prove the necessity of the farther services of the Water Commissioners can relate only to the construction of the aqueduct from the Croton River to the reservoir at Murray's Hill. In this light your Committee will consider the question.

The aqueduct is completed as herein before stated, for nearly its whole distance. Contracts have been made for the completion of every section. The plan is fully and definitely settled, not only by the Commissioners themselves, but by the people of the city, the Common Council, and the State Legislature. That plan must continue in force until altered by the proper authorities. The Commissioners cannot vary it. All that they can do is to pay the contractors, and if necessary, from time to time, examine the work, and report its condition to the Common Council.

The whole amount annually expended for salaries to, and under the Commissioners, is about $36,000. Your Committee believe that this expenditure is, in a great degree, unnecessary, and for the following reasons:

The work is nearly completed; and notwithstanding the most difficult parts remain to be finished, yet for these parts the contracts have been made, and the work long since commenced. All that remains to be done in regard to them is, that some officers should take care that the contracts are faithfully executed. This is within the peculiar province of the engineers. Possessing not only great theoretical knowledge, but equally great practical experience in matters of that character, they are certainly more competent to guard the public interests, and secure perfection to the work, than a board of gentlemen who claim no more extended acquaintance with the subject of dams and bridges than belongs to almost every individual in the community. The supervision of these branches of the work rests with the Engineer Department, and to them it properly belongs. They counsel

the Commissioners, report the errors committed, and advise the improvements necessary to be made. It must be evident to all, that a corps of engineers, equal in talent and intelligence to that connected with the Croton Aqueduct, can never be in the knowledge of their profession and willingness to perform its duties, inferior in any respect, except that of station, to those who are nominally their superiors. Would it not be advisable then to commit all the unfinished portions of the work to the supervision of the engineers? Your Committee think it would.

The views of the Committee in relation to the duties of the Water Commissioners, and the consequent necessity of the continuance of their Board, are fully sustained by the late Water Commissioners. In their supplemental report presented to the Board of Aldermen, March 30th, 1840, speaking of the condition of the work, they use the following language: "The state of the case then is, that the whole of the land required for the work is in peaceable possession, and the evidence of title, except in two instances, deposited with the Comptroller. The contracts for the whole work are made, and their performance sufficiently secured. The general plans, profiles, and working drafts are prepared. A large portion of the work is completed, and the remainder, except the bridge over Harlaem River, will be completed in 1841. The duties therefore of our successors must be materially lessened, as *most of those yet to be performed will devolve on the Engineer Department*, and nothing further can be required of the Commissioners, but a general supervision of the work as it progresses, except what may be the duty of their chairman in disbursing the sums due the contractors, and for their own incidental expenses, the salaries of engineers, and seeing that the accounts are regular and correct, and preparing the semi-annual reports to your Honorable Body."

This was the language used by the late Commissioners to the Common Council, in March, 1840. It will be admitted

by all that no person can be found in the City of New York more intimately acquainted with the then condition of the Croton Aqueduct than Stephen Allen and his associate Commissioners. These gentlemen have placed their opinions upon record as above referred to, and one of those opinions is, that the duties principally to be performed in relation to the Croton Aqueduct, devolve upon the Engineer Department. If this be true, and your Committee can see no reason to doubt its correctness, why should the Common Council impose upon not only the present, but future generations, an unnecessary annual expenditure of $5,500, particularly at a period when retrenchment is emphatically called for by our constituents, in relation to every department of our municipal government?

The principal object in obtaining the passage of the Act of the State Legislature for the appointment of the Board of Water Commissioners, was to obviate the legal difficulties arising from the fact that almost all the land required for the purposes of the aqueduct were situated in another county, and without the jurisdiction of the Corporate Authorities of the City. It was found necessary to call in the aid of the State Authority, to be exercised by State Officers appointed by the constitutional power, the Governor and the Senate, and acting under the State Law. The land in Westchester County necessary for the construction of the work has been acquired and paid for, and the chief object of the appointment of the Commissioners has been thus attained. It cannot be alleged that they have any duty to perform in this respect.

The resolution referred to your Committee proposes to discontinue the payment of the salaries of the Water Commissioners. The Acts of the Legislature in relation to the Croton Aqueduct do not require the payment of any compensation to the Commissioners for their services. The whole matter rests in the discretion of the Common Council. How that discretion should be exercised is the question now sub-

mitted to the Board. As the representatives of the people of this city we are certainly bound to watch with jealous care the public expenditures, to retrench where retrenchment is needed, to reform where reformation is called for by the public wants. Your Committee do not propose to abolish the office of Water Commissioners. That the Common Council, cannot do. The undersigned only advise that the Common Council in the exercise of the powers belonging to them, discontinue payments from the Treasury which are not called for by the wants of the public.

They therefore recommend the adoption of the following resolution as a substitute for the preamble and resolution hereto annexed and referred to your Committee:

Resolved, That section 10 of title ii. of chapter 18 of the Revised Ordinances, and such other parts of the said Ordinances as provide for the payment of salaries to the Water Commissioners for their services, be, and the same are hereby repealed.

MOSES G. LEONARD,
F. R. LEE,
Committee on the Croton Aqueduct.

QUARTERLY REPORT

OF THE

COMPTROLLER,

IN RELATION TO THE

ACCOUNTS OF THE CITY CHAMBERLAIN,

WITH

Schedules of the Receipts and Disbursements
to August 1, 1841.

DOCUMENT No. 27.

BRYANT & BOGGS,
PRINTERS.

DOCUMENT No. 27.

BOARD OF ALDERMEN,

SEPTEMBER 20, 1841.

Quarterly Report of the Comptroller, in relation to the accounts of the Chamberlain, with Schedules of the Receipts and Disbursements, to August 1, 1841. *Ordered on file and to be printed.*

SAMUEL J. WILLIS, CLERK.

COMPTROLLER'S OFFICE,
September 6th, 1841.

To the Honorable the Common Council:

I have the honor to submit the certificate of the Cashier of the Bank of the State of New York, showing the balances standing to the credit of the City Chamberlain in that institution, on the 1st of August last, together with the account current of the Chamberlain.

These accounts have been examined and compared with the vouchers in this office and found correct.

The balance on that day in the general fund was three hundred and fifteen thousand one hundred and ninety-two

dollars and fifty-seven cents. The uninvested balance in the Sinking Fund, was one hundred and twenty-four thousand one hundred and fifteen dollars and twenty-seven cents, and the amount belonging to the fund for "Interest on the Fire Loan," was thirty-six thousand three hundred and eighty-five dollars and forty-two cents.

I have appended a statement of the amounts borrowed on account of the Temporary Water Loan, up to the first day of August, being the first month of its issue, by which it will be seen that the sum of six hundred and fourteen thousand two hundred and thirty-one dollars was borrowed on that account. It was issued at par, bearing interest at six per cent. per annum.

I have also appended Schedules showing all the receipts and disbursements of the Corporation, from the first day of January to August, and the same with respect to the Sinking Fund, with a table exhibiting the balances of appropriations unexpended.

Respectfully submitted.

ALFRED A. SMITH,
Comptroller.

BANK OF THE STATE OF NEW YORK, }
July 31*st*, 1841. }

I hereby certify that after the close of business this day, the following balances were standing to the credit of the following accounts on the books of this bank, viz: To the credit of the "City Treasurer" *three hundred and fifteen thousand one hundred and ninety-two* 57-100 dollars: to the credit of the "Commissioners of the Sinking Fund" *one hundred and twenty-four thousand one hundred and fifteen* 27-100 dollars, and to the credit of "Interest on Fire Loan belonging to the Commissioners of the Sinking Fund" *thirty-six thousand three hundred and eighty-five* 42-100 dollars.

R. WITHERS, *Cashier.*

A true copy.
W. H. DIKEMAN.

Dr. *The Corporation of the City of New York, in account with Cornelius W. Lawrence, Treasurer.* **Cr.**

To amount paid on Warrants, from the 30th of April last to this day inclusive, as per weekly returns	$1,582,283 74	By balance in the hands of the Treasurer on the 30th of April last, as per account rendered	$ 38,835 02
Balance to new account	315,192 57	Amount received from all sources from that day to this (as per weekly returns) inclusive	1,858,641 29
	$1,897,476 31		$1,897,476 31
		By balance from old account	$ 315,192 57

City Treasury, July 31st, 1841.

C. W. LAWRENCE, Treasurer.

A true copy.
W. H. Dikeman.

Dr. *The Commissioners of the Sinking Fund of the City of New York, in account with Cornelius W. Lawrence, Treasurer.* **Cr.**

To amount paid on Commissioners' Warrants	$ 70,000 00	By balance in the hands of the Treasurer on the 30th of April last, as per account rendered	$ 12,214 81
Balance to new account	124,115 27	Amount received from all sources from that day to this (as per weekly returns) inclusive	181,900 46
	$194,115 27		$194,115 27
		By balance from old account	$124,115 27

City Treasury, July 31st, 1841.

C. W. LAWRENCE, Treasurer.

A true copy.
W. H. Dikeman.

AMOUNTS BORROWED

On the Temporary Water Loan, from the 29th day of June to the 31st of July inclusive.

June	29	$ 2,000
"	30	109,000
July	1	9,500
"	2	2,800
"	3	4,000
"	6	7,440
"	7	16,650
"	8	5,800
"	9	23,450
"	10	4,810
"	12	10,950
"	13	21,150
"	14	1,900
"	15	7,900
"	16	6,760
"	17	12,930
"	19	7,700
"	20	11,600
"	21	5,950
"	22	5,525
"	23	23,201
"	24	65,750
"	26	2,700
"	27	118,760
"	28	91,000
"	29	18,025
"	30	10,585
"	31	6,395
		$614,231

RECEIPTS,

From January 1st to August 1st, 1841.

Treasury Account.

1841.		
Aug. 1.	Balance in the Treasury Jan. 1, 1841	$ 174,179 08
"	Tax of 1840	1,148,698 31
"	Alms House	12,255 50
"	Arrears of Taxes	40,245 33
"	Interest on Arrears of Taxes	12,478 98
"	Bonds Payable	575,500 00
"	Assessment Fund	94,670 08
"	Assessment Fund Interest	6,453 21
"	Bonds and Mortgages	9,450 00
"	Interest on Bonds and Mortgages	110 25
"	Commutation of Alien Passengers	4,733 50
"	Courts	1,665 90
"	Cleaning Streets	19,803 49
"	Commutation of Tax	139 56
"	Charges on Arrears of Assessments	44 75
"	Cleaning Docks and Slips	950 62
"	Docks and Slips	145 95
"	Fencing Lots	2,196 91
"	Fire Loan Expenses	1,599 39
	Amount carried forward	$2,105,320 81

	Amount brought forward	$2,105,320 81
1841.		
Aug. 1.	Justices' Courts	4,186 18
"	Fire Indemnity Stock	56,000 00
"	Temporary Water Loan	614,231 00
"	Interest on Taxes	1,052 15
"	Interest on Liens on Lots	374 85
"	Interest on Streets Opening	534 43
"	Interest on Streets Paving	1,809 43
"	Interest on Fencing Lots	44 53
"	Interest on Wells and Pumps	43 83
"	Interest on Docks and Slips	11 18
"	Interest to antedate Corporation Bonds	136 75
"	Liens on Lots	2,147 35
"	Mayoralty Fees	756 00
"	Police	2,801 43
"	Penalties	420 44
"	Repairs and Supplies	830 00
"	Real Estate	11,562 50
"	Streets Paving	38,959 64
"	Streets Opening	135 75
"	Vendue Sales	7,500 00
"	Ground Rent	11,552 87
"	House Rent	2,721 62
"	Common Land Rent	140 00
"	Ferry Rent	7,219 13
"	Dock and Slip Rent	41,830 25
"	Water Lot Rent	1,932 70
"	Tavern and Excise Licenses	27,500 00
"	Wells and Pumps	2,305 26
"	Water Pipes	318 31
"	Water Stock	608,071 47
	Amount to August 1, 1841	$3,552,449 86

September 8, 1841.

W. H. D.

Summary.

Loans	$1,853,802 47
Assessments	150,287 77
On account of Corporation Property	21,012 50
Departments	42,616 81
Rents	65,396 57
Tax	1,202,615 33
Miscellaneous	42,000 33
Total Receipts	$3,378,270 78
Balance June 1, 1841	174,179 08
	$3,552,449 86

TREASURER'S ACCOUNT.

CITY EXPENDITURES.

Disbursements from January 1st to August 1st, 1841.

1841		Appropriation.	Expenditure.
Aug. 1.	Alms House	$250,000	$160,497 69
	Board of Health	5,500	3,413 28
	County contingencies	34,600	26,523 74
	Courts	40,000	22,731 05
	Coroner's fees	5,000	3,411 48
	Charities	8,000	4,071 20
	Cleaning Streets	141,500	96,633 38
	Commutation of Alien Pas'ng'rs	100	50 00
	Charges on Arrears of Taxes	500	219 00
	Cleaning Docks and Slips	10,000	5,854 57
	Docks and Slips Building / Repairing	50,000 / 15,000	35,645 31
	Elections	60,000	30,162 09
	Errors and Delinquencies	500	414 28
	Fire Department	55,000	40,166 91
	House of Refuge	4,000	4,000 00
	Intestate Estates	1,800	762 27
	Justices' Courts	15,000	7,400 00
	Interest on Ingraham's Bond and Awards		2,048 16
	" on Building Stock		12,875 00
	" on City Stock		12,500 00
	" on Bonds Payable	150,000	22,154 62
	" on Fire Indemnity stock		6,213 12
	" on Floating Debt Stock		7,306 46
	" on Assessment Bonds		594 52
	Amount carried forward		$505,648 13

	Appropriation,	Expenditure.
Amount brought forward..		$505,648 13
Lunatic Asylum	$30,000	360 00
Lands and Places.....	10,000	8,210 44
Lamps and Gas	120,000	73,133 61
Levying Tax	15,000	847 50
Markets	14,500	7,667 18
Public Reservoir.....	6,000	3,892 32
Public Schools.....	98,450	98,022 72
Penalties	3,000	1,500 00
Printing and Stationery	20,000	12,030 82
Police	37,500	22,789 05
Real Estate Assessments.....	15,000	13,403 25
Roads and Avenues.....	35,000	13,842 12
Repairs and Supplies	28,000	21,650 06
Salaries.....	60,000	30,072 78
Street Expenses	40,000	11,037 63
Tavern and Excise Licenses ..	1,200	540 00
Watch	234,000	134,286 98
Wells and Pumps.....		519 60
		$959,454 19

September 8th, 1841.

TREASURY ACCOUNT.

TRUST EXPENDITURES.

Disbursements from January 8th to August 1, 1841.

1841.	Appropriation	Expenditure.
Aug. 1. Bonds Payable	$ 630,000	$ 629,500 00
Charges on Arrears of Assessments	10,000	2,403 08
Cleaning Docks and Slips	15,000	179 89
Docks and Slips		1,149 37
Floating Debt	50,000	50,000 00
Fencing Lots	10,000	1,585 32
Fire Loan Expenses		6 00
Fire Indemnity Fund		56,680 13
Interest on Bonds Payable		21,980 00
Interest on Streets Paving	12,000	4,456 04
Interest on Wells and Pumps	500	16 13
Interest on Assessment Bonds		10,571 98
Liens on Lots	4,000	2,818 90
Penalties		25 00
Streets Opening	130,000	84,147 71
Streets Paving	160,000	46,599 13
Wells and Pumps	6,000	951 02
Water Commissioners	2,000,000	717,855 72
Water Pipes	500,000	313,305 45
Water Loan, Interest	500,000	196,259 27
Water Loan, Expenses		60 00
Assessment Fund	400,000	150,000 00
		$2,290,550 14

STATEMENT

OF RECEIPTS AND DISBURSEMENTS OF THE

COMMISSIONERS OF THE SINKING FUND.

Balance to the Credit of the Commissioners of the Sinking Fund, January 1, 1841 ..	$ 13,398 58	
Particular Receipts to August 1, 1841, viz:		
From Market Cellars	5,055 52	
Market Fees	12,038 86	
Water Lot Rent	116 62	
Commutation of Water Lot Quit-rent	4,431 00	
Interest on City Stock	2,280 00	
Interest on Fire Indemnity Stock	308 12	
Interest on Water Stock	5,849 44	
Interest on Public Building Stock	375 00	
Interest on Floating Debt Stock ..	4,533 65	
Interest on Fire Loan Stock	599 11	
Hack Licenses	937 00	
Junkshop Licenses	980 00	
Intelligence Office Licenses	325 00	
Pawnbrokers' Licenses	1,905 00	
Stage Licenses	70 00	
Street Vaults	1,500 37	
Fire Loan Mortgages	216,600 00	
Commutation of Common Land Rent	120 00	
Real Estate	5,692 00	
Floating Debt Stock	50,000 00	
		$327,115 27
Particular Payments to August 1, 1841:—		
For Fire Indemnity Stock (March 13)	$ 56,000 00	
Water Loan Stock (April 3)	77,000 00	
Water Loan Stock (May 11)....	70,000 00	
		203,000 00
Balance uninvested August 1, 1841		$124,115 27

W. H. D.

UNEXPENDED BALANCES.

Alms House, unexpended balance to Sept. 6, 1841	$49,502 31
Board of Health	1,538 97
Charges on Arrears of Taxes	10,273 50
Charities	3,853 80
Cleaning Docks and Slips	3,139 92
Cleaning Streets	16,571 13
Commutation Alien Passengers	50 00
Contingencies	319 52
Coroner's Fees	1,588 52
Courts	8,632 86
Docks and Slips	22,744 77
Elections	3,047 00
Registration of Voters	26,772 35
Errors and Delinquencies	85 72
Fire Department	7,549 84
Interest	
Intestate Estates	363 62
Interest on Streets Opening	
Interest on Streets Regulating and Paving	
Justices' Courts	4,000 00
Lands and Places	824 56
Lamps and Gas	35,640 12
Levying Tax	14,023 00
Lunatic Asylum	29,640 00
Markets	5,123 22
Mayoralty Fees	37 00
Real Estate Assessments	3,868 71
Penalties	725 00
Police	6,833 82
Printing and Stationery	5,914 05
Public Reservoir	1,247 33
Public Schools	662 40

Expenses School Commissioners	$ 264 88
Repairs and Supplies	1,432 71
Roads and avenues, unexpended balances	20,921 47
Salaries	17,440 54
Street Expenses	25,962 37
Tavern and Excise Licenses	660 00
Watch	73,729 24

DOCUMENT No. 28.

BOARD OF ALDERMEN,

SEPTEMBER 20, 1841.

Report of the Committee on the Croton Aqueduct, in accordance with an Ordinance to provide for the Accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, Clerk.

The Committee on the Croton Aqueduct, in accordance with the Ordinance for the Accountability of Executive Committees, respectfully

REPORT:

That since the last meeting of the Board in July, they have passed the following bills and made the annexed contracts, all of which is respectfully submitted.

1841.

Aug. 5.	Workmen's wages	$1,620 28
	Cartage of pipes	839 38
	S. Colwell, for pipes	4,192 40
	A. & M. Jones, for pipes	2,216 44
	J. W. Brick, for pipes	2,386 61
	Ward, Stillman & Co., for pipes	3,612 82
	Merrick & Town, for pipes	7,432 00
	Blair & Quin, digging trenches	2,339 16
	James Robertson, stopcocks	1,812 00
	T. & G. Rowe, castings	569 78
	E. Brown, surveying instruments	144 00
	W. Plumb, sundry expenses	282 76
	J. C. Robertson, tools	100 42
	F. R. Lee, tools	48 35
	D. Felt & Co., stationery	49 01
	S. Lockwood, pine wood	31 50
		$27,675 91

Ellicott & Brothers, for pipes, payable in five per cent. Water Stock ..... $ 4,014 86

Aug. 19.	Workmen's wages	1,653 56
	Cartage of pipes	557 38
	Merrick & Town, pipes	11,532 82
	A. M. Jones & Brothers, pipes	1,818 60
	Ward, Stillman & Co., pipes	1,602 65
	Joseph W. Brick, pipes	2,113 49
	David C. Wood, pipes	2,277 62
	Winterton & Myer, pipes	2,097 36
	James Robertson, stopcocks	1,680 00
	T. & G. Rowe, castings	792 97
	Samuel Lockwood, wood	30 00
	Amount carried forward	$26,156 45

1841.		
	Amount brought forward	$26,156 45
Aug. 19.	Blair & Quin, digging trenches	2,382 83
	Choller & Jones, pipes	5,425 98
	William Plumb, sundry bills	38 88
		$34,004 14

A contract was directed to be made with Patrick McCafferty, for excavating and paving for 8¼ miles of 6-inch pipe, at $560 per mile; and 1¾ miles 12-inch pipe, at $600 per mile.

A contract has also been directed to be made with Joseph W. Brick, for 1,000 12-inch dry sand pipes, at $1 69 per foot.

1841.		
Sept. 2.	Workmens' wages	$1,557 05
	Cartage of pipes	672 00
	Chollar & Jones, pipes	3,444 66
	Ward, Stillman & Co., pipes	1,620 44
	Joseph W. Brick, pipes	2,031 92
	S. Colwell, pipes	9,039 36
	I. Cummings, pipes	2,165 24
	H. V. B. Barker, excavating	1,119 95
	J. McCullough, lead	1,410 96
	James Robertson, stopcocks	1,855 00
	T. & G. Rowe, castings	598 71
	Montgomery, repairing Manhattan pipes	149 43
	S. S. Wandell, paving, ...	333 88
	E. Wainwright, brushes	20 00
	John J. Moffatt, repairs	333 90
	Thomas D. Howe, repairs	215 80
	W. Plumb, sundries	12 79
	S. Lockwood, wood	27 00
	John C. Robertson, repairs	157 00
		$26,765 09

1841.

Sept. 16.	Workmen's wages	$1,857 47
	Cartage of pipes	536 25
	S. Colwell, pipes	3,625 75
	Ward, Stillman & Co., pipes	3,397 21
	Joseph W. Brick, pipes	1,161 93
	A. M. Jones & Brothers, pipes	2,218 88
	D. C. Wood, pipes	1,288 21
	Blair & Quin, trenches	2,226 37
	James Robertson, stopcocks	1,771 00
	T. & G. Rowe, castings	772 93
	James McCullough, lead	838 04
	H. V. B. Barker, trenches	695 59
	R. B. Dyckman, yarns	255 00
	— Whitley, Wood,	48 00
	Charles O'Neil, charcoal	27 38
	J. A. Sayre, book case	31 00
	J. Lozier, pine wood	21 00
	Ellicott & Brothers, branches	320 98
		$21,092 99

Ellicott & Brothers, pipes, payable in 5 per cent.
Water Stock $5,675 01

MOSES G. LEONARD,
RICHARD S. WILLIAMS,
F. R. LEE.

DOCUMENT No. 29.

BOARD OF ALDERMEN,

SEPTEMBER 20, 1841.

Report of the Committee on Public Offices and Repairs, in accordance with an Ordinance to provide for the Accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on Public Offices and Repairs respectfully report, that since the recess of the Board, in August last, they have audited and ordered paid, various bills that have been presented, a majority of the Committee having at all times been present, viz:

August 5th, 1841. For workmen's wages.....	$ 924	82
" cleaning	63	00
" materials of various kinds	2007	24
	$2995	06

Of which was paid on the account of the Fire Department.....	$1226	16
For Repairs and Supplies.....	1768	90
	$2995	06

August 20th, 1841.	For workmen's wages.....	$ 832 98
	For materials	1465 95
		$2298 93
Of which was paid for	Fire Department.....	$ 612 67
" "	Repairs and Supplies.....	1686 26
		$2298 93
September 3d, 1841.	For workmen's wages....	$ 875 87
	For materials	859 98
	For coal.....	2867 92
		$4603 77
Of which was paid for	Fire Department.....	$ 499 92
" "	Repairs and Supplies.....	1235 93
" "	Special appropriation for fuel	2867 92
		$4603 77
September 16th, 1841.	For workmen's wages...	$ 861 84
	For repairs and supplies.	757 37
		$1619 21
Of which was paid for	Fire Department.....	$ 714 48
" "	Repairs and Supplies.....	904 69
		$1619 17

FREDERICK R. LEE,
CALVIN BALIS,
C. B. TIMPSON.

DOCUMENT No. 30.

BOARD OF ALDERMEN,

SEPTEMBER 20, 1841.

Report of the Committee of Lamps and Gas, in accordance with an Ordinance to provide for the Accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on Lamps and Gas beg leave respectfully to

REPORT:

In compliance with an ordinance relative to Executive and other Committees, they have authorized a contract to be made by the Superintendent of Lamps and Gas, with Messrs. D. & A. Kingsland of this City, for twenty-five hundred gallons of summer strained sperm oil, at the rate of eighty-seven cents per gallon; also, for six thousand gallons of fall strained sperm oil, at the rate of eighty-eight cents per gallon, the above being the lowest offer for approved quality, presented to the Committee.

EDWARD S. INNES,
CALVIN BALIS,
C. B. TIMPSON.

DOCUMENT No. 31.

BOARD OF ALDERMEN,

OCTOBER 4, 1841.

Report of the Committee on Lamps and Gas, in accordance with an Ordinance to provide for the Accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on Lamps and Gas respectfully

REPORT:

That they have authorized the Superintendent of Lamps and Gas to make contract with Messrs. I. & K. Dunn, for two hundred gas lamp frames, at one $87\frac{1}{2}$-100 dollar each, that being the lowest offer made the Committee after having advertised for proposals.

EDWARD S. INNES,
CALVIN BALIS,
C. B. TIMPSON.

DOCUMENT No. 32.

BOARD OF ALDERMEN,

OCTOBER 18, 1841.

Report of the Committee on Public Offices and Repairs, in accordance with the Ordinance to provide for the Accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on Public Offices and Repairs, in accordance with the ordinance providing for the accountability of Executive Committees, respectfully

REPORT:

That at the meeting held Oct. 14, 1841, the following bills were presented, approved, and the Comptroller was directed to pay the same:

Workmen's wages	$705 12
Materials	531 43
	$1,236 55

Of which was paid for Repairs and Supplies	895 04
" " Fire Department	341 51
	$1236 55

FREDERICK R. LEE,
C. B. TIMPSON.

DOCUMENT No. 33.

BOARD OF ALDERMEN,

SEPTEMBER 20, 1841.

Report of the Ferry Committee, submitting the form of a Lease for the Grand Street and Williamsburgh Ferry. Laid on the table.

SAMUEL J. WILLIS, CLERK.

The Committee on Ferries, to whom was referred the subject of the renewal of the lease of the Grand Street Ferry,

REPORT:

That they have caused advertisements to be published for proposals for such lease, and submit the annexed form, which has been agreed to by the lessees therein named, for the sanction of the Common Council.

Respectfully submitted.

FELIX O'NEIL,
ELIJAH H. KIMBALL,
F. R. LEE.

GRAND STREET AND WILLIAMSBURGH FERRY LEASE.

This Indenture, made the day of in the year of our Lord one thousand eight hundred and forty-one, between the Mayor, Aldermen and Commonalty of the City of New York, of the first part, and John A. Cross, Richard Leaycraft, Abraham Messerole, Abraham Boerum, William Wall, Jacob Bery, and John Miller, of the second part, Witnesseth, that the said parties of the first part, for and in consideration of the rents, covenants and agreements hereinafter mentioned and contained, on the part and behalf of the said parties of the second part, their executors, administrators, and assigns, well and truly to be paid, observed, performed, fulfilled, and kept, according to the true intent and meaning of these presents, have granted, demised, and to farm letten, and by these presents do grant, demise, and to farm let unto the said parties of the second part, and their executors, administrators, and assigns, all that ferry established and to be established, from the foot of Grand street, in the City of New York, over and across the East River to the foot of Grand street, in the Town of Williamsburgh, where the boats now land, or to the foot of the street next to Grand street last aforesaid, on the north or south thereof; and also from the foot of Grand street, in the City of New York, to the foot of South seventh street, in the town of Williamsburgh aforesaid, or to the foot of the street next to South seventh street aforesaid, on the north or south thereof, with all and singular the rights, members, profits, advantages, fixtures, and appurtenances thereof, belonging to the said parties of the first part: to have and to hold the same unto the said parties of the second part, their executors, administrators and assigns, for and during, and until the full end and term of seven years from the first day of May next,

yielding and paying therefor yearly, and every year, during the said term, the yearly rent of six thousand dollars, in quarter yearly payments, on the usual days of payment, to wit, on the first days of August, November, February, and May in each and every year during the term hereby demised. And the said parties of the second part, for themselves, their executors, administrators, and assigns, do covenant and agree to and with the said parties of the first part, their successors and assigns, that they the said parties of the second part, their executors, administrators, and assigns, shall and will well and truly pay, or cause to be paid, unto the said parties of the first part, their successors and assigns, the said yearly rent above reserved, at the several times above limited and appointed for the payment thereof. And also that the said parties of the second part, their executors, administrators, or assigns, shall and will from the first day of May next, at their own proper costs and expenses, furnish, provide and navigate from the foot of Grand street, in the City of New York, to the foot of Grand street in Williamsburgh, or to the foot of the street next to Grand street last aforesaid, on the north or south thereof, two good substantial single keeled steamboats, not less than ninety feet on deck, and not inferior to the steamboat "John C. Minturn," now running on the Houston street Ferry, and from the foot of Grand street in the City of New York, to the foot of South seventh street aforesaid, or to the foot of the street next to South seventh street aforesaid, on the north or south thereof, one steamboat of the same description with those aforesaid, except as to size; and will keep the said steam ferry boats employed on the said ferries, in such manner and at such times as the public accommodation requires, and as shall be directed from time to time by the Joint Committees on Ferries of the Common Council of the City of New York. And also that the said parties of the second part, their executors, administrators, or assigns, shall and will at their own proper cost, charges, and expenses, at all times during the term hereby granted, furnish, maintain,

and keep upon the said ferry two good and sufficient row-boats, to be used in case of emergency, to carry passengers and effects across the said river, whenever the public convenience shall require, with safety and convenience: and that the said steamboats shall always, during the said term, be furnished and manned with a sufficient number of able bodied men, skilled in water service, to sail and manage the same; and that the said men so to be employed in all and every of the said boats shall, at all reasonable times, be ready and willing to give their constant and ready attendance at the said ferry, for the prompt and convenient transportation of horses, carriages, passengers and effects across the said river; and that the said parties of the second part, their executors, administrators and assigns, shall not ask, demand, or receive any higher or greater toll, fare, or rate of ferriage, or any higher or greater commutation for passengers, carriages, horses or effects, than such as is specified in the schedule of rates of ferriage which is hereunto annexed. And that the said parties of the second part, their executors, administrators or assigns, shall and will at their own proper costs and charges, provide good and sufficient bridges, floats, ferry accommodations and fixtures, at each landing place of the said ferry, excepting a new bulkhead and piers at the foot of Grand street, in the City of New York, which are to be built at the expense of the said parties of the first part, in case the same should become necessary, and that the said parties of the second part, their executors, administrators or assigns, shall and will, at their own proper costs and charges, at all times during the term hereby demised, well and sufficiently uphold, maintain, and keep in good and substantial repair, all such necessary bridges, floats, ferry accommodations and fixtures as aforesaid, and also such bulkhead and piers as aforesaid, as may be made by the said parties of the first part, for the accommodating of the ferries aforesaid. And that at the expiration or sooner determination of the said term hereby demised, the said parties of the second part, their executors,

administrators, or assigns, shall and will peaceably and quietly leave, surrender, and yield up the said ferry, and every thing hereby demised, together with the bulkheads, piers, floats, bridges, and other fixtures, ferry accommodations, and improvements, which may have been erected or made by either of the parties for the use of the said ferries, in good order and condition, into the possession of the said parties of the first part, their successors or assigns, without fraud or delay. And also, that the said parties of the second part, their executors, administrators and assigns, shall not nor will during the said term assign, transfer, set over, mortgage, encumber, underlet, or in any other manner convey this present lease, or any part thereof, or the above demised premises, or any part of the same, without the leave and consent of the said parties of the first part, their successors or assigns, in writing first had and obtained. And also that the said parties of the second part, their executors, administrators and assigns shall, at all times, during the said term, conduct and manage the said ferry agreeably to such rules, regulations, rates of ferriage, times of running, and restrictions as now are, or may from time to time hereafter, during the said term by any bye law, ordinance or resolution of the said parties of the first part, or their successors or by any Statute of the State, be made or passed in relation to the same. And it is agreed by and between the parties to these presents, that if at any time during the said term, the said parties of the first part, or their successors, shall require any part of the said premises, for the purpose of docking out and building East street, that in such case the said parties of the first part, or their successors, shall be and are hereby authorized to make such improvements without any manner of claim for damage, or any abatement of rent, or otherwise, on the part of the said parties of the second part, their executors, administrators, or assigns, by reason thereof; but if made, the new slip shall be left in such suitable condition for ferry use, as the same shall be in when such improvement shall be com-

menced; and a slip shall be provided by the said parties of the first part for a temporary landing place during the said interruption; all the fixtures to be at the expense of the said parties of the second part. And it is further agreed that nothing herein contained shall be construed to give to the said parties of the second part, their executors, administrators or assigns, any claim for damages upon the said parties of the first part, their successors or assigns: Provided always, nevertheless, and these presents are upon this express condition, that if the said yearly rent, or any part thereof, shall be behind and unpaid for the space of ten days after any day of payment, on which the same ought to be paid as aforesaid, or if the said parties of the second part, their executors, administrators or assigns, shall neglect to perform, fulfil, and keep any or either of the articles, clauses, or agreements herein contained, which on their part are to be performed, fulfilled, and kept, according to the true intent and meaning of these presents; then and in such case it shall be lawful for the said parties of the first part, their successors or assigns, to declare in writing, to the said parties of the second part, their executors, administrators and assigns, that these presents, and the estate hereby created, shall be null and void; in which case, every clause, article, or thing herein contained shall be thenceforth null and void.

In witness whereof, to one part of these presents remaining with the said parties of the first part, the said parties of the second part have set their hands and seals, and to the other part of these presents remaining with the said parties of the second part, the said parties of the first part have caused their Common Seal to be affixed the day and year first above written.

Sealed and delivered }
in the presence of }

The schedule of rates of ferriage is to be the same as now charged on the Grand Street Ferry, except for foot passengers, which is to be three cents for each.

DOCUMENT No. 34.

BOARD OF ALDERMEN,

OCTOBER 18, 1841.

Quarterly report of the Croton Aqueduct Commissioner, in accordance with the Ordinance. Ordered on file.

SAMUEL J. WILLIS, CLERK.

CROTON AQUEDUCT DEPARTMENT,
New York, Oct. 1, 1841.

To the Hon. the Common Council of the City of New York.

As required by the "Ordinance to organize the Croton Aqueduct Department," the undersigned herewith presents a statement of the expenditures during the quarter ending Sept. 30; a return of the water pipes and other materials on hand; and the quantity of pipes and their connections under contract.

All of which is respectfully submitted.

H. A. NORRIS,
Croton Aqueduct Commissioner.

CROTON AQUEDUCT DEPARTMENT,
NEW YORK, OCT. 1, 1841.

REPORT OF EXPENDITURES

FROM 1ST JULY TO 30TH SEPTEMBER, 1841, INCLUSIVE.

Water Pipes and Branches.

Paid Stephen Colwell	$31,121 28		
" Merrick & Towne	27,996 40		
" Chollar and Jones	33,169 82		
" Ellicott & Brothers	18,368 92		
" Ward, Stillman & Co.	19,390 42		
" Joseph W. Brick	13,066 22		
" A. M. Jones & Brother	10,619 87		
" David C. Wood	8,519 55		
" John Cumings	5,999 80		
" Wintersteen & Myers	3,833 03		
" T. & G. Rowe	637 12		
		$172,722	43

Stopcocks.

Paid James Robertson		5985	00

Hydrants.

Paid T. & G. Rowe, castings	$2,975 40		
" James Robertson, fitting up	4,650 00		
		7625	40

Repairing Stopcocks and Hydrants.

Paid James Robertson		33	00

Stopcock Boxes.

Paid John I. Moffat		1386	00
Amount carried forward		$187,751	83

Amount brought forward.....$187,751 83

Lead for Joints.

Paid James McCullough 5616 78

Yarn for Joints.

Paid R. B. Dikeman..... 255 00

Cartage of Pipes.

Paid	Grout & Wandell.....	$735 50	
"	Patrick Galligher	243 39	
"	Henry Saelor	249 75	
"	John I. Cooper	273 38	
"	Patrick Slavin.....	167 63	
"	Peres Reynolds	242 60	
"	Henry Chanfraud.....	212 63	
"	Mathias Carstine.....	236 12	
"	Thomas Miller	126 75	
"	Thomas Miller, jun.	205 12	
"	John C. Wandell	234 88	
"	Abraham Teale	209 26	
"	Isaac Vanderbeck	220 89	
"	Peter Spier	204 75	
"	William H. Evers.....	4 12	
"	Thomas Maher	207 50	
"	Peter Hamill.....	183 12	
"	George McNamara.....	192 12	
"	George W. Whitley.....	114 63	
"	Cornelius Bunner.....	64 62	
"	Caleb Brush.....	57 00	
"	Henry Gates	40 50	
"	William Whitley	12 00	
			4437 26

Amount carried forward.....$193,060 87

Amount brought forward. $198,060 87

Digging and Filling Trenches and Repaving Streets.

Paid	Samuel S. Wandell.....	$7597 21	
"	H. V. B. Barker	3509 39	
"	Blair & Quin	6714 44	
			17,821 04

Repairing Sewers, Manhattan, Logs, &c.

Paid	Jacob Lozier	$ 16 63	
"	William M. Montgomery.....	149 43	
"	Thomas D. Howe.....	214 80	
"	Samuel S. Wandell	41 38	
			422 24

Tools and Repairing Tools.

Paid	Fare & Fowler	$100 00	
"	Moore & Vanderbeck.....	267 56	
"	William Condon.....	152 89	
"	E. Brown & Son	144 00	
"	John C. Robertson	181 70	
"	Martin Lalor.....	9 75	
"	E. Wainwright.....	20 00	
"	Frederick R. Lee	48 35	
"	Abraham Brower	15 44	
"	John Beatty.....	40 00	
			979 69

Whitewashing Pipes.

Paid	John C. Dunn	$79 14	
"	James O. Farrell	35 02	
"	Samuel S. Wandell	25 65	
			139 81

Amount carried forward.....$217,423 65

Amount brought forward.....$217,423 65

Office Furniture.

Paid John N. Sayre..... 31 00

Patterns.

Paid T. & G. Rowe..... 5 10

Pine Wood.

Paid Reuben Smith.....	$ 56 25		
" Samuel Lockwood.....	138 00		
" William Whitley.....	48 00		
" Stephen Lozier.....	21 00		
			263 25

Contingent Expenses.

Paid John I. Moffat, labor, lumber, &c.	$333 90		
" David Felt & Co., stationery..	49 01		
" Charles O'Neil, charcoal and cartage.....	27 38		
" William Plumb, sundries.....	60 33		
			470 62

Workmen's Wages.

Paid foremen and workmen on the lines, and at the yard, one clerk, and one draughtsman..... 9,719 09

.$227,912 71

NUMBER OF THE DIFFERENT SIZES OF WATER PIPES AND THEIR CONNECTIONS,

On hand 1st Oct. 1841.

Pipes,	30	inches	diameter	.....	2,304
"	24	"	"	.....	936
"	20	"	"	.....	3,672
"	16	"	"	.....	9,117
"	12	"	"	.....	1,431
"	6	"	"	.....	24,849
"	4	"	"	.....	4,446
			Total number of feet		46,755

Branches	from	16	to 4	inches	diameter	246
Caps....	"	12	to 4	"	"	220
Sleeves	"	16	to 4	"	"	159
Bevel hubs	"	20	to 6	"	"	72
Reducers	"	16	to 4	"	"	51
Frames and covers.....						121
Stopcocks, 16 inch						3
"	12	"				6
"	6	"				18
Hydrants						14

At Fort Gansevoort, condemned.

Pipe, 12 inches diameter, 828 feet.

WATER PIPES AND THEIR CONNECTIONS,

Under Contract and not delivered, October 1st, 1841.

Contractors' Names.	Quantities.	Size.
A. M. Jones & Brother	3,733 feet	6-inch pipes
Ellicott & Brothers	50,788 "	" "
David C. Wood	13,500 "	" "
Joseph W. Brick	6,209 "	" "
Do.	9,000 "	12-inch "
Ellicott & Brothers	86 tons	16-inch "
Do.	550 "	20-inch "
Do.	400 "	24 inch "
Wintersteen & Myers	200 "	16-inch "
Do.	100 "	20-inch "
Do.	129 "	24-inch "
Merrick & Town	210 "	30-inch "
Ward, Stillman & Co.	718 "	36-inch "
Chollar & Jones	480 "	36-inch "

Jamas Robertson..... 90 tons 12-inch stopcocks.

Joseph W. Brick..... 100 tons branches.

DOCUMENT No. 35.

BOARD OF ALDERMEN,

NOVEMBER 1, 1841.

Report of the Joint Committee on Fire and Water, relative to the quarrel between Engine Companies Nos. 44, 33, *and* 30. *Accepted and ordered to be printed.*

SAMUEL J. WILLIS, CLERK.

The Joint Committee on Fire and Water, to whom was referred the annexed communication of the Chief Engineer relative to a breach of the peace which occurred on the morning of the fifth day of September last, alleged to have been committed by members of the Fire Department, respectfully

REPORT:

That immediately upon the receipt of said communication, they entered upon the examination of the complaints therein contained, with an anxious desire to ascertain and bring to punishment those who were the actors in a scene which was not only attended with serious consequences to some who were innocently present, but calculated to affix a stain upon

the reputation of the Department, which your Committee regret to be obliged to state, numbers among its members some who, for several months past, have exhibited a disposition to trample under foot the good order of society, and set at defiance the laws by which it should be regulated and governed, and have thereby lowered the standard of an institution which has heretofore maintained a high and enviable station in the community, not only for the zeal and alacrity manifested in the discharge of its duties, but in the moral character and reputation of its members. It is true that there are very many honorable exceptions to this charge, and who are entirely removed from the stigma which has been thrown around them as a body of citizens, who have upon all occasions endeavored, by every means in their power, to allay the excitement which now unfortunately exists, and by prompt and decisive action, endeavor to detect those to whom they are indebted for the charges and complaints which are so often brought against them.

The circumstances connected with the recent disturbances, as nearly as they have been able to ascertain the same from the mass of testimony taken before them, are substantially as follows: That on the morning of the fifth day of September last, after a fire which occurred in the course of the night, as Engine Company No. 44 was returning towards their place of deposite, and while in Bond street, in the neighborhood of the Bowery, they were violently assaulted by a large number of men and boys, their engine taken from them and drawn a considerable distance down the Bowery, from whence it was returned by a posse of Watchmen, and again put in possession of the Company. The attack appears to have been premeditated on the part of the assailants, as from the testimony of the Watchman, it appears that as he was passing through Houston street, and when near the Bowery, he saw several engines returning from the fire, and among them one which he believed to be No. 30; that in company with said engine was a large number of persons, many of whom, after

they had passed him left the ropes and dispossessed themselves of their fire caps, and placed them in a cart near where he was standing; from which, and other circumstances, he was apprehensive of a disturbance, and gave the alarm rap, when he was assailed with foul language, and a brick thrown at him, which he observing, fortunately avoided: he then proceeded immediately to the Sub-Watch House, for the purpose of procuring assistance, and by the time he had rallied the men and returned, the fight had ended and order was restored. He had no knowledge who the person was who threw the brick, neither could he recognise any person among the crowd engaged in the disturbance.

That from the testimony of another witness, it appears that upon his return from the fire, and when in the vicinity of Bleecker street, he observed a large collection of men and boys evidently intent on mischief, and from their conversasation lying in wait for the approach of Engine No. 44, as upon his passing, some one or more observed "here she comes," upon hearing which, they gathered together in the centre of the street and on the sidewalks, for the purpose, as he supposed, of intercepting the members; but when the engine approached, it proved to be another number, and no interference was offered. That having received information which satisfied him of the design upon the Company of 44, he immediately went in pursuit of them for the purpose of acquainting them with the circumstance, and upon almost every corner which he passed, large numbers of persons were assembled, inquiring for engine 44. That upon one of the corners he heard a person disputing with a Watchman endeavoring to persuade him of the folly of raising an alarm, saying, "it is of no use to give the alarm rap, for a hundred men cannot stop this party," and advised him to go home and lie down. The Watchman continued the alarm, and while they were engaged in talking, a shout was given, and the crowd ran in the direction from whence it proceeded, which proved to have been given upon the approach of victims. One witness swears, that among

the crowd he observed a number of persons with 33 upon their suspenders; that others had caps on, but the numbers thereon he could not tell; and some without them, with the sleeves of their shirts rolled up, as if anticipating a contes t and that among those assembled in the Bowery, the numbers 30 and 1 were observed upon their caps and suspenders; but the Committee found it impossible, after a scrutinizing examination, to ascertain the names of the persons who were present upon that occasion. That an individual who was in search of 44 was stopped by a crowd of persons and detained by them, in order to prevent him from giving information of their intended assault, but he soon afterwards made his escape, and was present at the time of attack, who swore positively that among those engaged in the riot, were several with fire caps on with the number 30 upon their fronts; but whether they were volunteers, or members of the Company, he was unable to state. That in the course of the fight he saw one man with a knife in his hand, with which a person was severely stabbed in the left side, and that blood flowed freely from the effects of the wound; that bricks were thrown among the crowd, and one person was violently struck with what he supposed to be a stone sling.

Most of the witnesses agree in their statement that there were but few men among the assailants, and that most of the assailants were without hats, caps, coats, or vests.

From this statement of facts, it is evident that the quarrel was one which had been previously planned, and was fully arranged and understood by those who were engaged therein; and from the precaution which they used in generally appearing without their caps, has arisen the difficulty under which the Committee has labored in not being able to identify any of the persons connected with the transaction. On behalf of Engine Company No. 33, the foreman and four of their members appeared before the Committee, and represented themselves as a Special Committee, for the purpose of investigating and reporting the name of any member, if any,

who was present at the time of the alleged assault, and that they had been unable to ascertain that any were there upon that occasion. The members of No. 30 were duly notified, but no person appeared on their behalf. In reference to which Company, it appears from the testimony of two witnesses, that they returned to their house immediately after the fire, put their apparatus in order, called the roll, and that the members separated; that a number of boys then started for the purpose, as they said, of seeing the fight with No. 44; but who were to be engaged therein, did not appear, and both witnesses positively assert that in their opinion, not a member of the Company was implicated in the transaction, and one or both were equally confident that none of the members of No. 33 were present, or if present, took any part in the contest.

Upon the first intimation of this outrage, the Committee ordered the engines entrusted to the three Companies implicated, to be immediately taken from them and placed under their control, in the hopes that by so doing, they should be enabled to fasten the charge upon the guilty, in order that the Common Council might inflict such punishment upon them as the violated law demanded, and the orderly and well disposed members of the Department had a right to demand at their hands; but singular as the facts may appear to those who are not familiar with the examination of quarrels of this character, they have found it impossible, after a laborious investigation of several weeks, satisfactorily to arrive at a conclusion which would justify them in visiting upon any member of the Department the censure of this Board, as in no instance has the testimony been of such a character as to bring the charge directly home to the persons connected therewith.

Upon a full and impartial view of this unpleasant subject, they have arrived at the conclusion that the difficulty is in a great measure to be attributed to the large collections of young men and boys who are in the habit of attaching them-

selves as volunteers to the various fire apparatus, many of whom are of the most lawless and abandoned character, deprived of all moral restraint, and being permitted by their parents and guardians to prowl about the city at all hours of the night, are ready upon all occasions to provoke excitement, and in the heat of passion, and too often under the influence of intoxicating drinks, to commit acts of violence of the most outrageous and degrading character ; over persons such as these the Committee have no authority, and although in a number of instances they have caused them to be arrested upon criminal process, yet the convictions have been so few, owing to the evidence which they appear always to have at their command, that they failed in producing any salutary effect among them.

The Committee cannot too strongly urge upon those members of the Department who feel an interest in its moral reform, to discountenance all associations of the character above referred to, and under no circumstances to permit them to have access to the buildings and apparatus entrusted to ther care, satisfied as they are, that if these volunteer companies could be broken up, and their associations abandoned, so that the Department should be represented only by its members, that the time is not distant, when it would regain its former character and again become, as it was in years that have passed, the pride of our city, and the admiration of strangers from every section of the Union.

Much credit is due to the efficient Chief Engineer of the Department for the prompt and decided manner in which this subject was brought before the Committee, and for the industry and zeal which he has manifested in endeavoring to procure testimony in order to fix the guilt upon those who were participating in the affray, and although his efforts have not been crowned with that success which he and the Committee had hoped, yet it has satisfied them that if industry and perseverance could have accomplished the object, that they would have been able in this report to present to the

Common Council the names of those who are unworthy the badge of Firemen, and to have separated from the Department those who are its reproach and its shame.

Upon mature deliberation of all the circumstances connected with this subject, the Committee offer for adoption the following resolutions:

Resolved, That the members of Engine Company No. 44 be, and they are hereby exonerated from any censure in reference to the attack made upon them while in the discharge of their duties as Firemen, as the examination has clearly established the fact that they were the victims of assault, without any provocation on their part, and that in their participation therein, they acted only on the defensive.

Resolved, That from the testimony taken before the Committee, it does not conclusively appear that the members of Engine Companies No. 30 and 33, were present and participated as a Company in the riot and assault which occurred on the fifth day of September last, but that some of the individual members thereof, or those who are in the habit of associating with them, and permitted to assume their number, were recognised among the crowd and actively engaged therein.

Resolved, That the practice of permitting volunteer associations to assume the garb of Firemen, and to mingle in the duties thereof, is not only in direct and open violation of the Ordinances of the Common Council, but calculated in its results to demoralize the character of our youth, and to bring reproach upon the Department by the riotous and disorderly conduct in which they are so often engaged, and that the officers and members of each company be desired forthwith to disband all associations of volunteers, and upon no occasion to suffer or permit them to have access to the public property; and all Magistrates, Watchmen and Police Officers

are hereby requested to prevent the congregating of all boys around or in the vicinity of Engine, Hose, and Hook and Ladder Houses, to the end that the members of the Fire Department may be recognized as such, and be held responsible for all deviations from the path of duty and the requirements of the Ordinances of the Common Council.

All which is respectfully submitted.

C. B. TIMPSON,
MORRIS FRANKLIN,
A. HATFIELD,
DANIEL WARD,
WM. ADAMS,
D. D. BRIGGS.

The complaint of the Foreman of Engine Company No. 26, against Engine Company No. 44, attached to the report of the Chief Engineer, will be reported upon at a future meeting.

TO THE HONORABLE THE COMMON COUNCIL OF THE CITY OF NEW YORK:

The Chief Engineer of the Fire Department regrets that he is compelled to inform your honorable body, that a riot and fight occurred on Saturday night last, between Engine Companies No. 30, 33 and 44, which for brutality and ferocity, has had no parallel in the annals of our Fire Department, and which will doubtless result in the death of at least one individual.

On Saturday night 4th instant, while Engine Company No. 44 was returning from the fire in Houston street, and while passing near the corner of the Bowery and Bond street, they were attacked by a large body of individuals, composed as far as the Chief can learn, of members and volunteers of Engine Companies No. 30 and 33. After taking possession of Engine No. 44, they commenced a furious attack upon the Company attached to it, which lasted a long time, disturbing the peace of the whole neighborhood. During the affray, clubs, pipes, wrenches and weapons of different descriptions were used, and a number of persons severely injured; among them, one John Manault, formerly a member of Engine Company No. 30, was stabbed in such a manner that his life is despaired of. The Chief cannot too earnestly entreat your honorable body to fully investigate this matter, and not to pass over it in silence. It is hardly six months since a similar complaint was preferred by him in regard to two of these companies, Nos. 30 and 44, when one of the members of the latter was stabbed, and yet to this day the offenders are at large, and no punishment has been awarded to them. The Chief cannot ascertain the origin of the quarrel in the present instance, but from such evidence as he has gathered, he is fully satisfied that the attack on Engine Company No. 44, was deliberately planned and premedi-

tated by persons connected with Engine Companies No. 30 and 33. The excitement in regard to it among the orderly portion of the Fire Department is intense, as well as among the citizens; they look to your honorable body for the adoption of such measures, however severe in their nature, as may be necessary to punish the offenders, and prevent any similar outrage in future against the laws and peace of our city.

Respectfully submitted.

CORNELIUS V. ANDERSON,
Chief Engineer.

September 6th, 1841.

DOCUMENT No. 36.

BOARD OF ALDERMEN,

NOVEMBER 15, 1841.

Report of the Committee on Lamps and Gas, in accordance with the Ordinance to provide for the Accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

In accordance with the ordinance respecting Executive and other Committees, the Committee on Lamps and Gas respectfully

REPORT:

That they have authorized the Superintendent to make a contract with Messrs. D. & A. Kingsland, of this city, for twenty thousand gallons of winter strained sperm oil, at the rate of ninety-two cents per gallon, deliverable at the oil house, when and in such quantities as may be required.

The contractors are to allow two cents per gallon for the empty casks, which are to be returned them, making the net price chargeable to the department ninety cents per gallon.

EDWARD S. INNES,
CALVIN BALIS,
C. B. TIMPSON.

DOCUMENT No. 37.

BOARD OF ALDERMEN,

NOVEMBER 15, 1841.

The following communication was received from his Honor the Mayor, returning, with his objections, the preamble and resolution, authorizing the Committees on Charity and Alms House to contract with Mack Oakley, for the building of a Mad House on Blackwell's Island, for the sum of twenty-five thousand dollars, which was laid on the table and ordered to be printed.

SAMUEL J. WILLIS, CLERK.

Whereas, a difference of opinion exists in the minds of the Committees on Charity and Alms House, as to the carrying out the resolution adopted by this Board the sixth September last, directing the erection of a mad house on Blackwell's Island, a copy of which resolution is annexed,—Therefore, be it

Resolved, That the Committees on Charity and Alms House, of both Boards, be authorized to contract with Mack

Oakley, for the erection of said building, as directed in the foregoing resolution, for the sum of twenty-five thousand dollars, and that being the lowest offer for erecting the said building when estimates were advertised for, under a former resolution of the Common Council, and that the said mad house be erected agreeably to the plans and specifications therein referred to, and to be located near the place designated by a former resolution, and completed within such time as the said Committees may direct.

MAYOR'S OFFICE, NOVEMBER 15, 1841.

To the Honorable the Board of Aldermen:

I herewith return to your Honorable Body, with my objections, the resolution which originated in your Board, authorizing the Committee on Charity and Alms House of both Boards, immediately to contract with Mack Oakley, for the erection of a mad house on Blackwell's Island, at the cost of twenty-five thousand dollars, not including the plumber's work.

I find from examination all that could be done this season towards the erection of said building would be the digging of the foundation and building the foundation walls, and that the building could be finished within a month of the same period were it commenced in the spring, as it would be should the contract be made this fall, and the work be immediately commenced. Whether the building be commenced this fall or next spring, it cannot be occupied before the latter part of the fall of next year.

Since I signed the resolution of September last, authorizing the erection of the building contemplated by this resolution, I have received information that one of the buildings of the State

Lunatic Asylum at Utica is finished, and ready to receive inmates as soon as the Legislature shall pass a law designating the number each county of the State will be entitled to send to that institution. Before the spring—and I suppose, upon a subject so charitable, humane and important, immediately upon its meeting—the Legislature will pass laws necessary to have that building occupied, and we shall be informed of the number of patients our population will entitle us to send there. As the other buildings of the State Institution shall be finished (there being three others in progress of erection) we shall be entitled to send an increased number of patients to that charity.

Prudence and a just regard for the interests of our constituents, demand, that with this prospect of immediate relief from the State Institution, and as the unfortunate inmates of our Asylum cannot be immediately benefited by our expenditure of this twenty-five thousand dollars, we should postpone the making of this contract until after the action of the Legislature, which will inform us whether this building will be required. Should it be required the contract can then be made, and the building be finished and occupied within one month of the time it would be, should it now be commenced. For these reasons, at the present time, I deem it my duty to withhold my concurrence to the resolution.

I am informed by the report of the Joint Special Committee on Public Buildings on Blackwell's Island, Document No. 25 of the Board of Assistant Aldermen, that "some further accommodations might be provided by appropriating parts of the Asylum not now occupied;" and I am told by gentlemen of the Common Council, and by officers of the Corporation, that these further accommodations could be made to amount to 140 additional separate apartments; that most of them could be arranged for immediate occupation, and that the whole cost would not exceed three thousand dollars. These 140, added to the 193 separate apartments now in the

buildings, would amount to 333 separate apartments. The number of inmates now in the institution is 305, and has for a long time ranged between 295 and 305, the highest number. This would give a separate apartment to each inmate.

I suggest to your Honorable Body, that whether you concur with me or differ in my objection to the passage at this time of the resolution returned to you, that you will immediately cause whatever room there may be in the Asylum, not now occupied, to be converted into apartments for the inmates. That course will give immediate relief, as they can be occupied at once.

I am confident that our constituents, jealous as they justly are of improper and unnecessary expenditures, will approve of the expense necessary to convert the unoccupied parts of the present building into accommodations for the unfortunate, even though it should prove to be but a temporary structure.

ROBT. H. MORRIS.

DOCUMENT No. 38.

BOARD OF ALDERMEN,

NOVEMBER 15, 1841.

The following Communication was received from his Honor the Mayor, whereupon so much of it as relates to Intelligence Offices, and Hack and Cab owners, was referred to the Committee on Laws, the other portion to the Committee on Arts and Sciences.

SAMUEL J. WILLIS, Clerk.

Mayor's Office, November 15, 1841.

To the Honorable the Board of Aldermen:

Gentlemen,—Late investigations into the conduct of some of the Keepers of Intelligence Offices in this City show that amendments are necessary to the ordinances upon that subject. Great frauds have been committed upon the laboring portion of our citizens, for want of necessary guards and checks upon the keepers of those offices. There is no rate of compensation for their services fixed by law: each charges according to his own will. They receive compensation from the employer and the employed, are in the habit of advertising

daily that persons are wanted for situations, for which they have received no order to procure persons, and take money from applicants for situations, frequently their last dollar, without furnishing them either with a place, or information enabling them to obtain one. For such conduct I have deprived several Keepers of their licenses. I suggest that ordinances should be enacted, regulating their charges, affixing a penalty for advertising for persons to fill situations for which they have received no orders, and requiring them to keep books open to the inspection of the City Authorities, in which shall be entered all applications or orders they may receive in the way of their business.

I respectfully urge this subject upon your immediate consideration. The extent of impositions upon that class of our fellow citizens who can least afford either the loss of the money that is taken from them, or of the time necessary to correct an abuse, is very great.

I also call your attention to complaints made to me by a body of hack and cab owners and drivers, that certain persons of their class have had permission granted them by the Aldermen of their respective wards, to stand their cabs or hacks in front of the different hotels of the city, which privilege is necessarily limited to a few, and is of great advantage to those who are thus favored. The remainder, constituting the greater part of the cab and hack owners and drivers, complain, and it seems to me with justice, that this practice is highly injurious to them, depriving them in a great measure of a just competition for employment, the custom at the Hotels being entirely monopolised by those who may have the good fortune to be thus selected. I would suggest the propriety of assigning general stands for hacks and cabs in the vicinity of the large hotels, so as to consult the convenience of the public, and at the same time afford a just and fair opportunity for competition.

I herewith submit the accompanying letter received by me on the 9th of October last, from Messrs. Graham & Sandfords,

of this city, together with a copy of the ordinances passed by the City of New Orleans, in relation to dead animals. A belief that the subject is one of public utility induces me to communicate it to you.

Messrs. Collon & Cantel, French residents of this city, have established works on Forty-first street, near the North River, for the purpose of converting the carcases of animals into useful materials for different branches of manufacture. They suggest that by your co-operation with proper ordinances, the city may be relieved from the ill effects of dead animals deposited in open grounds, and floating in our docks and bay, and at the same time great pecuniary benefit will accrue to Messrs. Collon & Cantel.

It would be an important public regulation to rid the city of the nuisance referred to, and I feel confident that an examination of the subject by you will result in ordinances beneficial to the health and comfort of the city. I therefore call your serious attention to this subject.

ROBT. H. MORRIS.

DOCUMENT No. 39.

BOARD OF ALDERMEN,

NOVEMBER 15, 1841.

Report of the Committee on the Croton Aqueduct, showing the amount of Expenditures, agreeably to an Ordinance of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on the Croton Aqueduct, respectfully

REPORT:

That at a meeting held November 11th, 1841, a majority of the Committee being present, the following bills were examined and passed:

Workmen's wages	$1,618 80
Cartage of pipes	756 75
James Robertson, for stop cocks	1,700 00
Amount carried forward	$4,075 55

Amount brought forward	$4,075 55
T. & G. Rowe, for castings	613 79
H. V. B. Barker, for excavating	890 83
Postley & Co., for castings	353 27
James M'Cullough, for lead	619 33
John Jacob Astor, for rent	200 00
John C. Robertson, for tools, &c.	108 43
John Ely, for tools	135 53
William Maxwell, for yarn	105 69
William Whitley, for wood	37 50
B. F. Goodspeed, for services	25 00
H. R. Dunham, for kettle, &c.	15 38
Ellicot & Brothers, for branches	47 19
D. C. Wood, for pipe	614 50
Colwell & Co., for pipe	1,149 43
John Brick, for pipe	1,636 80
Ward, Stillwell & Co, for pipe	2,828 23
West Point Foundry, for pipe	5,749 09
Merrick & Town, for pipe	3,621 71
	$22,827 25

Ellicot & Brothers for pipes, payable in Water Stock $9,106 83

MOSES G. LEONARD,
FREDERICK R. LEE,
RICHARD S. WILLIAMS.

DOCUMENT No. 40.

BOARD OF SUPERVISORS,

OCTOBER 22, 1841.

Report of a Select Committee of the Board of Supervisors, on the Communication of the Comptroller, relative to the tax of 1841. *Adopted.*

SAMUEL J. WILLIS, CLERK.

The Committee of the Board of Supervisors for the County of New York, to whom were referred a communication from the Comptroller, and certain resolutions for imposing the tax for 1841, respectfully

REPORT:

That they have examined the subject referred, and find that it is necessary to raise by tax the sum of one million three hundred and seventy-one thousand one hundred and twenty-five dollars and ten cents, to meet the liabilities of the Corporation for the current year, to wit:

For all general and contingent liabilities		$811,000 00
For the watch tax		234,000 00
For the lamp tax		120,000 00
For the support of common schools:		
State quota	$35,415 10	
City do. half mill tax	59,000 00	
Instruction of the deaf, &c.	1,430 00	
Clothing of the blind	220 00	
Clothing of deaf and dumb	60 00	
		96,125 10
For the redemption of the floating debt		50,000 00
For elections		50,000 00
For extending the Alms House, &c.		10,000 00
		$1,371,125 10
This sum is exclusive of the cost of assessing and collecting the tax, and the re-taxing delinquencies, which will amount to		33,800 51
Making the entire sum to be levied		$1,404,925 61
The amount raised last year, on all accounts, was		1,354,835 29
The increase is		$ 50,090 32

The amount thus proposed to be raised is authorized by the State Act, and no less amount, in the opinion of your Committee, will be adequate to sustain the City Corporation in meeting the obligations to which it is liable, and the payment of which cannot be postponed.

They therefore recommend the passage of the resolutions annexed to the communication of the Comptroller, the Committee having filled in the blanks with the proper sums.

All which is respectfully submitted.

JAMES POLLOCK,
EGBERT BENSON,
MOSES G. LEONARD,
FREDERICK R. LEE,
Special Committee on Tax for 1841.

Valuation of Real and Personal Estates in the City of New York, 1841.

Wards	C.	W.	L.	REAL.	PERSONAL.	TOTAL.	RATE.	TAX.	
1	"	"	"	$ 32,144,7 5	$27,540,404	$59,685,189	55.286	$329,975 53	
2	"	"	"	15,015,850	1,932.583	16,948.433	" "	93,701 10	
3	"	"	"	12,133.900	5,871,610	18,005,510	" "	99,545 26	
4	"	"	"	8,733,450	1,880,037	10,613,487	" "	58,677 72	
5	"	"	"	9.456.100	2,856,106	12,312,206	" "	68.069 26	
6	"	"	"	7,979.750	1,824,900	9,804.650	" "	54.205 98	
7	"	"	"	11.209,686	4,766 295	15,975.981	" "	88,324 80	
8	"	"	"	11,384,100	2,073.707	13,457,807	" "	74,402 83	
9	"	"	"	8,891,950	1,194.100	10,086,050	" "	55,761 73	
10	"	"	"	6 163.900	736,400	6,900,300	" "	38,148 99	
11	"	"	"	3,996,800	95,600	4,092,400	" "	22,625 24	
12	"	"	"	7,622.953	1,766,150	.....	40.444	37,973 28	40,538 43
12	"	"	"	564,376	.....	9,953,479	45.451	2,565 14	
13	"	"	"	4 283.800	226,154	4.509,954	55.286	24.933 73	
14	"	"	"	6.899,300	1.835,535	8,734,835	" "	48,291 40	
1	"	"	"	14.361.500	8,669.521	23,031,021	" "	127,329 30	
16	"	"	"	11,833.093	682,730	.....	" "	69,194 97	86,175 18
16	"	"	"	1.281.660	5,000	.....	45.451	5,847 99	
16	"	"	"	110.650	.....	.....	50.279	556 33	
16	"	"	"	2.570.943	44.000	16,528,076	40.444	10,575 87	
17	"	"	"	9.708.700	1,429.624	11,138,324	55,286	61,579 33	
				$186,347,246	$65,430,456	$251,777,702		$1,372,285 78	

SUMMARY

Of Items to be credited to the Wards respectively, being Items paid into the City Treasury from October 1, 1840, *to October* 1, 1841.

W'ds.	Commutation of Tax.	Arrears of Tax collected.	Collectors' Delinquencies paid in.	Total.
1	$501 26	$ 500 32		$ 1,001 58
2		3,119 03	$ 47 73	3,166 76
3		174 10	3,638 50	3,812 60
4		1,173 28		1,173 28
5		2,754 38		2,754 38
6		2,260 47	925 62	3,186 09
7		2,519 94		2,519 94
8		2,651 75		2,651 75
9		6,373 90	327 76	6,701 66
10		1,266 39		1,266 39
11		4,641 73		4,641 73
12		9,251 80		9,251 80
13		325 51		325 51
14		1,001 02		1,001 02
15		5,867 79		5,867 79
16		26,693 38		26,693 38
17		11,662 86	78 46	11,741 32
				$87,756 98

SUMMARY

Of Items to be charged upon the Wards respectively.

W'ds.	Collectors' Commissions.	Collectors' Delinquencies	Ward Delinquencies.	Remissions of Tax.	Assessors' Pay.	Totals.
1	$2,983 31	$ 17 18	$ 2,618 93		$ 650	$ 6,269 42
2	1,556 84	302 81	1,951 60		650	4,461 25
3	1,575 04	1,454 93	1,178 20		650	4,858 17
4	1,542 52	4 22	1,599 00		650	3,795 74
5	1,517 31	53 89	2,755 99	$ 31 98	650	5,009 17
6	1,691 32	2,929 99	1,635 51		650	6,906 82
7	1,552 63		1,923 09	34 52	650	4,160 24
8	1,676 14		2,587 49		650	4,913 63
9	1,544 05	132 51	4,068 32		650	6,394 88
10	1,516 23	14 53	1,515 29	5 27	650	3,701 32
11	1,821 08	170 47	1,916 81	14 91	650	4,573 27
12	1,422 55		16,589 41	82 80	700	18,794 76
13	1,567 95		386 90		650	2,604 85
14	1,564 89	265 10	835 28		650	3,315 27
15	1,818 67	69 03	4,882 77		650	7,420 47
16	1,663 42		17,487 08	244 80	1,300	20,695 30
17	1,510 94	1,167 25	9,254 02		750	12,582 21
	$28,524 89	$6,581 91	$73,185 69	$414 28	$11,750	$120,456 77

TAXES REMITTED,

Per Resolutions of Common Council, from October 1, 1840, *to October* 1, 1841.

1841.	Jan.	1.	O. R. Kingsbury	$ 18 92
"	Feb.	8.	Robert Provoost	4 81
"	"	22.	Bowery Insurance Company, assessed to W. Wagstaff and W. Slater	59 07
"	Mar.	8.	Rosamond Arden	31 98
"	"	"	Cornelius Polhemus	5 27
"	June	28.	W. A. Bloodgood	14 91
"	"	"	Jacob Bendenagle	34 52
"	"	"	George Lewis	244 80
				$414 28

Wards.	Tax.	Charges.	Credits.	Total.
1	$329,975 53	$ 6,269 42	$ 1,001 58	$ 335,243 37
2	93,701 10	4,461 25	3,166 76	94,995 59
3	99,545 26	4,858 21	3,812 60	100,590 87
4	58,677 72	3,795 74	1,173 28	61,300 18
5	68,069 26	5,009 17	2,754 38	70,324 05
6	54,205 98	6,906 82	3,186 09	57,926 71
7	88,324 80	4,160 24	2,519 94	89,965 10
8	74,402 83	4,913 63	2,651 75	76,664 71
9	55,761 73	6,394 88	6,701 66	55,454 95
10	38,148 99	3,701 32	1,266 39	40,583 92
11	22,625 24	4,573 27	4,641 73	22,556 78
12	37,973 28	17,729 07	8,727 20	46,975 15
12	2,565 14	1,065 69	524 60	3,106 23
13	24,933 73	2,604 85	325 51	27,213 07
14	48,291 40	3,315 27	1,001 02	50,605 65
15	127,329 30	7,360 47	5,867 79	128,821 98
16	69,194 97	15,668 94	20,173 56	64,690 35
"	5,847 99	1,614 59	2,074 00	5,388 58
"	556 33	138 54	178 70	516 17
"	10,575 87	3,273 24	4,267 13	9,581 98
17	61,579 33	12,582 21	11,741 32	62,420 22
	$1,372,285 78	$120,396 82	$87,756 99	$1,404,925 61
	120,396 82			
	$1,492,682 60	Specific taxes		1,371,125 10
	87,756 99	Partial assessing tax ..		1,160 68
	$1,404,925 61	General tax		$1,372,285 78

COMPTROLLER'S OFFICE,
September 16, 1841.

To the Honorable the Board of Supervisors of the City and County of New York:

The Comptroller respectfully presents for your consideration the annexed resolutions, embracing the several amounts which are authorized to be levied by tax for the expenditures of the year 1841. He also submits a schedule of the appropriations for the year, by which it will appear that the full amount authorized must be imposed, unless a great reduction in the ratio of expenditure for the remainder of the year is to be effected. For the payment of the claims of contracto s, assumed by the Corporation, and amounting to ninety thousand dollars, due October 1st, this year, no provision has been made, nor indeed is there any authority to raise the same by tax. Without this item, the aggregate amount authorized and necessary to be raised by tax this year, will exceed the tax of the year preceding, viz:

Contingent tax		$ 811,000
Lamp tax		120,000
Watch		234,000
		$1,165,000
School tax		96,000
Elections		50,000
Floating debt		50,000
Lunatic Asylum		25,000
		$1,336,000
Cost of levying tax		15,000
		$1,401,000

A full statement of the items of expenditure to this date, with such other information as may be required, will be furnished to the Committee, to whom this communication may be referred.

Respectfully submitted.

ALFRED A. SMITH,
Comptroller.

Resolved, That there shall be raised by tax on the real and personal estate of the freeholders and inhabitants of, and situated within, the City and County of New York, to be collected, the sum of one million one hundred and sixty-five thousand dollars, and also such further sums as aforesaid as may be necessary for supplying the deficiencies of taxes, upon any and every one of the wards of this city, imposed or laid during the year one thousand eight hundred and forty, for defraying the expenses of assessing and collecting said taxes. The said taxes to be raised by virtue and in conformity with, the provisions of the Act of the Legislature of the State of New York, entitled, "An Act to enable the Mayor, Aldermen and Commonalty of the City of New York to raise money by tax, passed May 26th, A. D., 1841."

Resolved, That there shall be raised by tax on the estates real and personal, of the freeholders and inhabitants of, and situated within, this city, to be collected, the sum of thirty-five thousand four hundred and fifteen dollars and ten cents, being the amount of monies last appropriated by the State to the City of New York, for the support and encouragement of Common Schools in the City of New York; said tax to be raised and collected by virtue and in pursuance of the provisions of the Revised Statutes, vol. 1, chap. 15, of Public Instruction, tit. 2, art. 7, sec. 117, and an Act entitled, "An Act to appropriate the income of the United States Deposit Fund, to the purposes of education and the diffusion of knowledge," passed April 17th, A. D., 1838.

Resolved, That there shall be raised by tax, on the estates real and personal of the freeholders and inhabitants of, and situated within, this city, to be collected, a sum not exceeding four-eightieths of one per cent. of the aggregate valuations of such estates, to wit: Fifty-nine thousand dollars; said tax to be raised and collected by virtue and in pursuance of the Law of this State entitled, "An Act for the further support and extension of Common Schools in the City of New York," in vol. 1, of the Revised Statutes, new edition, pages 482 and 483.

Resolved, That there shall be raised by tax on the estates real and personal, of the freeholders and inhabitants of, and situated within this City, to be collected, the sum of one thousand four hundred and thirty dollars, for the support and education of eleven mutes at the New York Institution for the instruction of the Deaf and Dumb, said tax to be raised and collected by virtue of, and in pursuance of, the Law of this State, entitled "An Act extending and supplementary to certain acts providing for the indigent deaf and dumb, within this State," passed April 15, A. D., 1825, and for other purposes, passed April 15, 1830, and for extending former acts five years from and after the first day of May, 1836, passed May 26th, 1836.

Resolved, That there shall be raised by tax on the estates real and personal, of the inhabitants of, and situated within, this city, to be collected, the sum of two hundred and forty dollars, for the payment of clothing of eleven blind persons, to wit: Mary Jane Brown, John Wool, Catherine Connell, Edward Kaniski, Mary Ann Inch, Edward Mullan, Catherine Gilmer, Joseph W. Chadsey, Harriet Smith, B. McGowan, Thomas Murphy, and Abraham Schuyle, placed in the State Institution for the Blind, by the Commissioners of the Alms House; said tax to be raised and collected by virtue, and in pursuance of, the Laws of this State of 1839, sec. 5,

of chap. 200, entitled "An Act to extend the benefits of Instruction of the Blind, and for other purposes," passed April 18th, 1839, and also the further tax of sixty dollars for payment of clothing of three deaf and dumb persons, Peter Brown, Emily Stanton, and Catherine McMonngal, placed in the State Institution for the Deaf and Dumb, by the said Commissioners, to be raised and collected by virtue, and in pursuance of, the Laws of this State of 1838, chap. 244.

Resolved, That there shall also be raised by tax on the estates real and personal, of the freeholders and inhabitants of, and situated within, this city, the sum of fifty thousand dollars, to be raised, collected and applied, under and by virtue of an Act of the Legislature of this State, passed May 14th, 1840, in relation to the old Floating Debt of the said city.

Resolved, That there shall also be raised by tax, on the estates real and personal, of the freeholders and the inhabitants of, and situated within, this city, to be collected, the sum of fifty thousand dollars, to be raised, collected, and applied towards defraying the expenses of holding elections in said city, under and by virtue of an Act of the Legislature of this State, passed May 26th, 1841, and also the further sum of ten thousand dollars, to be also raised as aforesaid, and collected and applied for the purpose of erecting and extending the Alms House Building in this city, under, and pursuant to, the act last mentioned.

Resolved, That when the assessment-rolls shall have been confirmed by this Board, the Comptroller cause the same to be completed and placed in the hands of the Collectors with all possible dispatch, and that warrants be issued to such Collectors as soon as they respectively qualify.

Statement, showing amount to be raised by tax for the ordinary, stated, and contingent liabilities of the Corporation, for 1841.

Alms House	$ 250,000	$ 250,000
Board of Health	5,500	5,500
Bonds payable	630,000	
Charges on arrears of assessments	10,000	
Charges on arrears of taxes	10,500	
Charities	8,000	8,000
Cleaning docks and slips	10,000	10,000
Cleaning docks and slips, assessment	15,000	
Cleaning streets	141,500	141,500
Commutation alien passengers	100	100
Contingencies	34,600	34,600
Coroner's fees	5,000	5,000
Courts	40,000	40,000
Docks and slips	65,000	65,000
Elections	7,000	7,000
Registration of voters	53,000	
Errors and delinquencies	500	
Fencing lots	10,000	
Floating Debt redemption	50,000	
Fire Indemnity redemption	25,000	
Fire Department	55,000	55,000
Interest on City Stocks, &c	150,000	150,000
Intestate estates	1,800	1,800
House of Refuge	4,000	4,000
Interest on regulating streets	12,000	
Interest on opening streets	35,000	
Interest on wells and pumps	500	
Interest on fencing lots	500	
Interest on Water Loan	500,000	
Justices' Courts	15,000	15,000
Lands and places	10,000	10,000
Lamps and gas	120,000	
Levying tax	15,000	
Amounts carried over	$2,289,500	$ 802,500

Amounts brought forward ..	$2,289,500	$ 802,500
Liens on lots	4,000	
Lunatic Asylum	30,000	
Markets	14,500	14,500
Mayoralty fees	100	100
Real estate assessment	15,000	15,000
Penalties	3,000	3,000
Police	37,500	37,500
Printing and stationery	20,000	20,000
Public reservoir	6,000	6,000
Public Schools	98,450	
Expenses of School Commissioners	500	
Repairs and supplies	28,000	28,000
Roads and avenues	35,000	35,000
Salaries	60,000	60,000
Street expenses	40,000	40,000
Streets regulating and paving	160,000	
Streets opening	130,000	
Streets opening assessment fund	400,000	
Tavern and excise licenses	1,200	1,200
Water Loan, &c	2,000,000	
Water pipes	500,000	
Watch	234,000	
Wells and pumps	6,000	
Street Commissioner's Department	17,500	17,500
	$6,130,250	$1,080,300
	Revenue off	250,000
		$ 830,300
Proposed appropriations		14,760
		$ 845,060
Contingencies	$ 8,000	
Liens on lots	3,000	
Lands and places	2,000	
Tax Collectors' commissions	1,760	
	$14,760	

DOCUMENT No. 41.

BOARD OF ALDERMEN,

NOVEMBER 29, 1841.

Communication from the Counsel of the Corporation, enclosing the Opinion of the Supreme Court on the return to the Quo Warranto against the Aldermen, sitting as Judges of the Court of General Sessions; and also in the Application of Judge Lynch, for a Mandamus, to compel the payment of his Salary. Adopted.

SAMUEL J. WILLIS, CLERK.

The undersigned has the honor of communicating to the Common Council the annexed Opinions of the Honorable the Justices of the Supreme Court, on the return to the Quo Warranto against the Aldermen of the City of New York, sitting as Judges of the Court of General Sessions; and also their opinion on the application of Judge Lynch, for a peremptory mandamus against the Board of Supervisors, to compel the payment of his salary.

The question which has given rise to these opinions, so vitally concerns the power of the City Government under its

Charter, and the power of the Legislature over the Charter, as limited by the Constitution, that the undersigned has no hesitation in recommending that the decision in relation to the constitutionality of the Criminal Court Bill be submitted to the Court of last resort for final adjudication.

Respectfully submitted.

P. A. COWDREY.

OPINIONS

Of the Honorable the Justices of the Supreme Court, on the Quo Warranto against the Aldermen of the City of New York, sitting as Judges of the Court of General Sessions.

THE PEOPLE v. E. F. PURDY. } WILLIS HALL, *Attorney General*, for Plaintiffs. PETER A. COWDREY, for Defendants.

BRONSON, J. The Charter granted by Governor Montgomery to the City of New York, on the 15th January, 1730, authorized the Aldermen of the City, with certain other officers, to hold and keep Courts of General Sessions of the Peace, in and for the City and County of New York; and in pursuance of that Charter, and several legislative enactments passed since that time, the Aldermen have sat in the Courts of General Sessions of the Peace in New York for the last one hundred and ten years. On the 14th of May, 1840, an Act was passed "for the better organization of the Criminal Courts in the City and County of New York," the first section of which was in the following words:—"The Court of General Sessions in the City and County of New York shall hereafter be held, and all the powers thereof exercised, by the Recorder of the City of New York and two Judges to be appointed by the Governor and Senate, who shall be called and known as the Associate Judges of the Court of General Sessions of the City and County of New York." *Stat.* 1840, *p.* 257, § 1. The 14th section repeals certain provisions of the Revised Statutes, a single section of the Act of 1833, "and all other *Acts* and parts of *Acts* inconsistent with the provisions" of the law of 1840. This repealing clause is confined to legislative enactments, and is not broad enough to reach the Charter of 1730. But the

first section necessarily excludes the Aldermen from the Court of General Sessions, and thus indirectly reaches and annuls a portion of the Charter. The language of the section is, that the Court "shall hereafter be held, and all the powers therof exercised," by the Recorder and two Judges to be appointed by the Governor and Senate. This language is, I think, broad enough to work a repeal, by implication, of that clause in the Charter of 1730 which authorizes the Aldermen to sit in the Court of General Sessions.

The power of the Legislature to alter the Charters of public corporations without their consent—provided rights of property are not affected—cannot be doubted. Cities and villages exercise certain powers of government—a portion of the sovereign power of the State—within a limited district. Such privileges cannot, from their very nature, be the subject of inalienable grant. They may be recalled at pleasure. Whether the Act of 1840 was a wise or politic exercise of the legislative power, is a question with which we have nothing to do.

The Legislature has the same power over corporations created by Royal Charter prior to the Revolution, that it has over corporations created by the Legislature since that time.

The Constitution gives no new force to grants made by the Kings of Great Britain, whether of lands or of corporate franchises. It merely provides, that those grants should not be affected or annulled by the Revolution and the new fundamental law of the State. *Const.* 1777, *s.* XXXVI.; 1821, *Art.* VII. *s.* XIV. I do not suppose that this provision was at all necessary. It seems to have been adopted, originally, for more abundant caution, and to quiet the apprehensions of those who were possessed of lands or corporate privileges held under authority of the British Crown; and it was continued in the Constitution of 1821 for the purpose of avoiding any implication against the validity of those grants which might arise from the omission of the clause in the new fundamental law. But whether the provision was a necessary one or not, it goes no further than to declare,

that nothing contained in the Constitution "shall *annul* any Charters to bodies politic and corporate;" and cannot be construed as giving any new sanction to those grants, or limiting in any degree the power of the Legislature over them.

But it is said that the Act of 1840 did not receive the assent of two-thirds of the members elected to each branch of the Legislature, and consequently that it is not a valid law. *Const. Art.* VII. *s.* IX. The fact that it did not have the votes of two-thirds of the members, was conceded by the Attorney General on the argument; and we see from the journals that only half of the Senators, and less than half of the members elected to the Assembly voted for the bill on its final passage. *Senate Journ.* 1840, *p.* 123-4. *Assembly J.* 1840, *p.* 1466. How a question like this shall be tried, or whether it can be tried at all when a bill has gone through all the usual forms of legislation, are questions which were not considered in the case of *Thomas* v. *Dakin*, 22 *Wend.* 9. They are now presented to this Court for the first time.

It has not been decided that the Judicial Tribunals of the State may, in some way, look beyond the printed Statute Book, for the purpose of ascertaining whether bills coming within the two-thirds clause of the Constitution have received the requisite number of votes: and although I have felt a good deal of difficulty on that question, I am inclined to the opinion that such an inquiry may be instituted. The question is no doubt one of great delicacy, but if the Courts have the right to entertain it, the duty is imperative, and we are not at liberty to shrink from its performance. We live under a government of laws, reaching as well to the Legislative, as to the other branches of the government; and if we wish to uphold and perpetuate free institutions, we must maintain a vigilant watch against all encroachments of power, whether arising from mistake or design, and from whatever source they may proceed. The Constitution is explicit in its terms, and in a particular class of cases upon which the Legislature may

act, it denies to a bare majority of members the power which in other cases they undeniably possess. To give efficiency to this provision, and secure the people against the exercise of powers which they have not granted, we must, I think, when called on to do so, look beyond the printed Statute Book, and inquire whether bills creating or altering corporations have received the requisite number of votes.

Statute laws may be read in evidence, either from the State Paper, or from the volumes published by the State Printer. 1 *R. S.* 183, 4, § 8, 12. It is also enacted that "no bill shall be deemed to have been passed by the assent of two-thirds of the members elected to each house, unless so certified by the presiding officer of each House." 1 *R. S.* 156, § 3. To give full effect to this enactment, and provide a convenient mode of ascertaining whether the two-thirds clause in the Constitution has been duly observed, the laws should be published with all the usual evidence of their authenticity. The certificates of the presiding officers of the two Houses, and the approval of the Governor should be published as well as the body of the law. But as such has not been the practice, I have examined the original engrossed bill on file in the Secretary's office, and find that the Act of 1840 is only certified by the presiding officers in the usual form of certifying *majority* bills. If this is not conclusive, it is at least *prima facie* evidence, and, following the Statute, this bill cannot be "deemed to have passed by the assent of two-thirds of the members elected to each House."

This brings us to the question whether the act of 1840, is such an one as required a two-thirds vote. That the City of New York, is a *body politic and corporate*, and that the act of 1840, if duly passed, *alters* the Charter, are propositions that have not been, and cannot be denied. But it is said, that the Constitution does not extend to *public* corporations, and therefore a majority vote was sufficient. I do not so read the Constitution. The language of the clause is, "the assent of two-thirds of the members elected to each

branch of the Legislature, shall be requisite to *every* bill creating, continuing, altering, or renewing ANY body politic or corporate." These words are as broad in their signification as any which could have been selected for the occasion from our vocabulary; and there is not a syllable in the whole instrument tending in the slightest degree to limit or qualify the universality of the language. If the clause can be so construed that it shall not extend alike to *all* corporations, whether public or private, it may then, I think, be set down as an established fact, that the English language is too poor for the framing of fundamental laws which shall limit the powers of the legislative branch of the government.

No one has, I believe, pretended that the Constitution, looking at that alone, can be restricted to any particular class or description of corporations. But it is said that we may look beyond the instrument for the purpose of ascertaining the mischief against which the clause was directed, and thus restrict its operation. But who shall tell us what that mischief was? Although most men in public life are old enough to remember the time when the Constitution was framed and adopted, they are not agreed concerning the particular evil against which this clause was directed. Some suppose the clause was intended to guard against legislative corruption, and others that it was aimed at monopolies. Some are of opinion that it only extends to private, without touching public corporations; while others suppose that it only restricts the power of the Legislature when creating a single corporation, and not when they are made by the hundred. In this way a solemn instrument, for so I think the Constitution should be considered, is made to mean one thing by one man, and something else by another, until in the end it is in danger of being rendered a mere dead letter; and that too, where the language is so plain and explicit, that it is impossible to make it mean more than one thing, unless we first lose sight of the instrument itself, and allow ourselves to roam at large in the boundless field of speculation.

For one, I dare not venture upon such a course. Written Constitutions of Government will soon come to be regarded as of little value, if their injunctions may be thus lightly overlooked; and the experiment of setting a boundary to power will prove a failure.

We are not at liberty to presume that the framers of the Constitution, or the people who adopted it, did not understand the force of language. They knew that we had already both public and private corporations, and that others of both kinds would afterwards be wanted. And when they declared that the assent of two-thirds of the members should be requisite to *every* bill creating or altering *any* body politic or corporate, they could have intended nothing less than that the provision should extend alike to *all*. It is very likely that they thought some corporations more injurious, or at least, of more unquestionable utility than others. But they did not attempt to specify or describe, but used the most general and comprehensive language. The only just inference to be drawn from such premises is, that the provision was made thus broad for the very purpose of preventing its being frittered away by interpretations and constructions. By including all, they inevitably intended that one class of corporations should not escape through a saving clause intended for another.

It is, I think, fair to presume that the framers of the Constitution, when they employed this general language, reasoned somewhat in this way, "if public corporations, or corporate bodies of any other kind, ought to be created almost as a matter of course, and if they do not seek to obtain any questionable powers, there will then be no difficulty in obtaining a two-thirds vote; and consequently no harm can be done by making the provision broad enough to include all."

But we are not left to conjecture on this subject. When this clause came up for consideration in the Convention, the very objection was taken to it, that it extended to *public* as well as to private corporations, and it was proposed to amend

by inserting after the word "any," the words "*bank or monied institution* in this state," thus limiting it to a particular class of corporations. Mr. Radcliff prefaced the amendment by the remark, that as the clause stood it would "require two-thirds of the Legislature to incorporate a *village*, bridge or turnpike." To which it was answered, that "*two-thirds would never be wanting to incorporate a village* or a turnpike;" and thereupon the amendment was withdrawn, and the original proposition adopted by unanimous consent. *Carter and Stone*, Debates in Conv. p. 446. We have here the most unequivocal proof, evidence which no man can fail to see, wink as hard as he will, that the framers of the Constitution meant precisely what they said. While it was conceded that some corporations were more objectionable than others, they made the provision general; and this was done to the end that the clause might most certainly reach those of doubtful utility. While they agreed, and that too, unanimously, that the clause extended to public as well as to private corporations, they refused to except any, because such as ought to be created would find no difficulty in obtaining the requisite number of votes.

We have here not only the unequivocal language of the Constitution itself, but the declared will of the framers of that instrument in another form, both forbidding us to except public, or any other corporations from the influence of the clause; and this fundamental law has not yet been repealed, unless it has been brought about without the consent of the people who adopted it. I will not inquire whether the provision be a good or a bad one. Whatever may be my views on that subject, I am not at liberty to set up my opinion against the declared will of the people as manifested in the supreme law of the land. If we may get round this clause of the Constitution because it stands in our way, or we do not like it, we may in the same manner get round any other clause in that instrument; and thus all hope of fixing the

boundaries of power by written constitutions will be at an end.

It is said that this Court has decided that the clause in question does not extend to public corporations. If the remark were well founded it would be far from being conclusive. When it is considered that a vast amount of business is constantly pressing on the Judges, it can be no matter of astonishment that they should sometimes fall into error. If they have made a mistake upon this or any other question, it should not be regarded as a fatal error. The decision may not only be reviewed in another form, but the Judges will, I trust, always be ready to retrace their steps when they find themselves occupying untenable ground.

But this Court has never decided that the Constitution did not extend to public corporations. Although one of the Judges has intimated such an opinion, it was not necessarily involved in the case under consideration; and I need hardly say, that neither the Court, nor the Judge who delivers the opinion, is responsible for any thing more than the conclusion at which he arrives. The case to which we are referred is the *People* vs. *Morris*, 13 Wend. 325. Now, in the first place, it did not appear in that case, nor did the Court in any way inform itself, that the Revised Statutes, which prohibit grocers from selling spirituous liquors to be drank on their premises, had not been passed by a two-thirds vote. So far as then appeared, or as we are now informed, the statute had as many votes as would be necessary to create or alter a body corporate of any kind whatever. In the next place the statute then in question did not touch the village of Ogdensburgh *alone*, or any other corporation in particular. On the contrary, it was a *general* statute, regulating the internal policy of the State; and, with a single exception, it extended alike to every city, town, and village, and every citizen within our limits. Corporate privileges were only touched incidentally, in the same way that tax laws and other general statutes reach all persons, whether natural or artificial. This

was the reason primarily assigned by the present Chief Justice for the judgment which was rendered in that case; and it was wholly unnecessary to go farther, and inquire whether the Constitution extended to public corporations.

The difference between a general excise law, extending alike to *the whole State*, and a law touching the charter of a *single city*, is too manifest to require any illustration. Legislative precedents have been referred to in support of the position that the Constitution does not extend to public corporations. Although these may not always furnish the most safe guide on a question of this kind, I do not regret that legislative precedents have been mentioned, for if I am not greatly mistaken it will be found, that, with one or two exceptions occurring in 1840, there is an unbroken current of legislative authority *against* the doctrine in question, from the adoption of the Constitution down to the present day. Since the first day of March, 1822, when the two-thirds clause in the Constitution took effect, some hundreds of statutes creating or altering the charters of public corporations, have been passed; and with the exception already suggested, I hazard little in saying, that not one of those statutes has been passed without a two-thirds vote in both houses. I cannot now command the time to search the journals, nor look into the Secretary's office, but as an attentive observer of the course of legislation for the last nineteen years, I feel great confidence that the remark already made will turn out to be well founded. Down to the time that the case of *The People* vs. *Morris* was decided, it was never, I think, even suggested in the legislature that a two-thirds vote was not necessary to create or alter a public corporation; and since that time, although the point has been repeatedly made, it has as often been decided against the doctrine now set up.

I will mention one precedent, because the State paper of the first of March last, in which it may be found, happens to lie before me. The Speaker of the present House of Assem-

bly decided, that a bill to *amend* the charter of the *village* of Oswego required the assent of two-thirds of all the members elected for its passage; and he said this was in accordance with the whole current of decisions since the adoption of the Constitution. On appeal, the case of *The People* vs. *Morris* was cited, and after the whole matter had been debated at large, the decision of the Speaker was sustained by a vote of 89 to 13—nearly seven to one. I mention the numbers for the purpose of showing that it was not a political division, for decisions of that kind are entitled to no great weight in courts of justice. These legislative precedents are entitled to the more consideration from the fact, that they are disclaimers of power, such as public bodies do not usually make where there is any fair and reasonable ground for maintaining their authority.

The Revised Statutes declare, that "each town as a body corporate, has capacity to sue and be sued," &c., and the same language is employed in relation to counties. 1 R. S. 337, 364. Now, until it appear that these laws were not passed by a two thirds vote, a fact that I never heard suggested, they obviously prove nothing to the present purpose. But again, although towns and counties have certain capacities "*as*" or *like* "a body corporate," they are only *quasi* corporations. They are not those artificial *persons* which either lawyers or laymen call corporations. The trustees of gospel and school lots, and the superintendents of the poor, are also spoken of as corporations. 1 R. S. 498, 617. But although they have certain corporate capacities, they are not corporations in the proper sense of the term. They have some of the attributes of a corporation, and so have the commissioners of the canal fund, and of the land office, the canal board, the board of canal commissioners, the commissioners of highways in towns, and trustees of school districts; but they are not corporations proper. And here I will repeat the remark already made in relation to towns and counties, that it does not appear, nor have I ever heard it suggested, that the

statutes relating to the trustees of gospel and school lots, and the superintendents of the poor were not passed by two-thirds votes. Until that fact appears, it is impossible to use these enactments as legislative precedents in favor of the doctrine that the Constitution does not extend to public corporations.

We have, then, in this case, *first*, the Constitution itself, so explicit in its terms that the wit of man cannot so construe it but that it will extend to public as well as private corporations: *second*, the declared intention of the framers of that instrument, manifested in another form, to include all corporations, and a refusal on their part to make a restricted provision; and *third*, with only one or two exceptions, an unbroken current of legislative authority, from the adoption of the Constitution down to the present day, in support of the position that the clause in question extends to public as well as to private corporations. Surely, this should be enough to settle the question.

The inquiry whether the Constitution extends to all corporations, happens to be presented for the first time in a case of no great public interest. For aught I know, the law excluding the Aldermen from the Court of General Sessions may be a good one. But that cannot alter the principle involved in the case, which is one of more than ordinary importance. If the Legislature can limit the powers of a public corporation by a majority vote, they may also enlarge those powers, or make an original creation by the like vote; for "creating, continuing, altering" and "renewing" all stand on the same footing in the Constitution. Although the claim of the Aldermen may be one of no great moment, I deem it vastly important that the Constitution should be so read and upheld that the people will have no just cause to apprehend that the fundamental law is lightly regarded by those to whom they have committed important public trusts.

I do not see how we can avoid passing upon the constitutional question. Whether the power to hold Courts ought ever to be conferred upon corporation officers, is not the pro-

per inquiry. It was expressly granted by the Charter of 1730, and was conferred on the Corporation by name as a part of its franchise.* It is as much a part of the chartered privileges of the city as is the power granted by the same Charter to establish markets, make by-laws, and regulate the internal police of the city. How the power of the Aldermen can be taken away without altering the Charter I am unable to comprehend. If the Act of 1840 does not exclude the Aldermen from the Courts of General Sessions, there has then been no usurpation, and the defendant is entitled to judgment on that ground. If the Act of 1840 does exclude the Aldermen, it is because it alters the Charter of the City under which they hold their seats in the Courts of General Sessions; and then as the Act did not receive the requisite number of votes, it is void, and the defendant is entitled to judgment upon that ground.

In my opinion this information is not well grounded. But my brethren, while they agree with me on most of the questions which have been considered, have arrived at a different conclusion.

* Sec. 26. "And further, we, of our special grace, certain knowledge, and mear motion, have given, granted, ratified and confirmed, and by these presents do, for us, our heirs and successors, give, grant, ratify and confirm *unto the said Mayor, Aldermen and Commonalty of the City of New York, and to their successors forever*," "that they, the said Mayor, Deputy Mayor, Recorder and *Aldermen* of the said City, for the time being, or any four or more of them, (whereof we will the Mayor, or Deputy Mayor, or Recorder of the said city for the time being, to be one,) *shall and may forever hereafter, hold and keep four courts of general sessions of the peace* in and for the said city and county of New York, to begin," &c.

Cowen J. I have thought a good deal upon the question of legislative power discussed by Mr. Justice Bronson, and perceive difficulties in it which I had not anticipated before I heard his opinion. Were I clear that the power of Alderman Purdy to sit as a Judge in the Court of General Sessions might be considered strictly a corporate right within Art. 7,

§ 9, of the Constitution, whether such right were public or private, I might require still farther time; or perhaps assent at once to the conclusion that the act of 1840 did not affect his power for want of a two-thirds vote. Such a vote is required for *altering* any *body politic or corporate*, and if the act had sought to abolish the office of Alderman or diminish his powers as declared by the Charter of the city, I need not say, after the opinion I have heard, that there would be strong reasons for considering the act a nullity. Under such a view of the question, I should feel much embarrassed by the conflicting state of opinion in this Court and elsewhere. But here is no attempt by statute to abolish the office of Alderman or diminish his power. The Board of Aldermen are an integral part of the Corporation, (Sess. Laws of 1830, p. 125,) having, as such, certain legislative, executive, and it may be admitted, though this is doubtful, certain judicial powers. By the Charter or an Act of the Legislature, it was also thought proper to confer, not on the Board, but the Aldermen as individual officers, the power to act as Judges of the General Sessions of the peace: (2 R. S. 145, § 42, 2d ed.) a court having, in its own nature, no connection with the Corporation, and the power of the court itself not being a corporate power or anything like it. This is the power which the act of 1840, (Sess. Laws 1840, p. 257, § 1,) has taken away. The case is the same as if the Legislature had first declared that the Aldermen for the time being, should be Vice Chancellors; or should compose an inferior court of equity; and then after an election had intervened, another statute had abolished their chancery powers, and transferred them to three gentlemen of the city to be appointed by the Governor and Senate. My opinion is, that the latter statute would not be the altering of a body politic or corporate, within the language or meaning of the two-thirds clause in the Constitution. The whole would be but the conferring and taking away of the power to hold a court of justice. It is no more a corporate power because annexed to persons de-

signated as holding the office of Aldermen, than if they had been called by their proper names.

In this view the passing of the act of 1840, was not an attempt to alter a body politic or corporate, but the exercise of another legislative power entirely distinct;—the power to take jurisdiction away from one court and transfer it to another. This, I am of opinion, can always be done by a majority vote, though the Judges from whom the power is taken may be designated by the same title as they are known by when mentioned as an integral part of a corporation. In short, the statute does not attempt any action upon corporate power.

I am of opinion that judgment of ouster should be rendered against the defendant.

The Chief Justice was of the same opinion for the reasons expressed in People *v.* Morris, 13 Wend. 325.

Judgment for the People.

The People, *v.* Nathaniel Jarvis. } The same question and same judgment.

Resolved, That the Opinions of the Judges of the Supreme Court, on the return to the Quo Warranto against the Aldermen, sitting as Judges of the Court of General Sessions, be entered at full length in the minutes of this Board, and be printed as a Document.

Resolved, That the Counsel of the Corporation be, and he is hereby instructed to bring a Writ of Error upon the judgment of the Supreme Court in the above cause.

By Moses G. Leonard.

OPINION

On the Application of Judge Lynch for a Peremptory Mandamus, to compel the Payment of his Salary.

Ex parte LYNCH. } JAMES LYNCH, in person.
P. A. COWDREY, for the Board of Supervisors.

COWEN, Justice.

This Court of General Sessions was sought to be organized by the act of May 14th, 1840, Sess. Laws, p. 257. It was to be holden by the Recorder and two Associates, and a salary of $2,000 was appointed for each Associate Judge, to be paid by the Common Council out of the city treasury, in quarterly payments, § 5. The Common Council refused to pay these salaries; and on a motion by the present relator for a writ of mandamus, we declined to interfere, mainly on the ground that he had an adequate remedy by action; May 3, 1841, M. S. Then came the act of May 26th, 1841, Sess. Laws, p. 267, § 4, by which the Mayor, Recorder, and Aldermen of the City, *as Supervisors of the City and County of New York*, are directed to *audit and allow* the Judges' accounts for arrears of salary on or before the 10th day of July thereafter; and after that time quarterly, as such salaries might become due.

This latter provision presents the ordinary case of a specific duty imposed by statute on the Board of Supervisors of a County; and there would be no difficulty in granting the writ now, were it not for the objections that the statute creating the Court was not passed with the concurrence of two-thirds of the members elected to the Legislature, and that if this were not necessary, the relator still has his remedy by action.

The first question has been before us, and was determined

in favor of the relator at the present term in *The People vs. Purdy.*

But independently of the constitutional question, I am inclined to think, that, in order to warrant our interference by mandamus, the act of 1841 should have taken away the remedy by action against the Corporation, which we held resulted from the act of 1840. It is said that in authorizing a remedy by audit and allowance through the Supervisors, the right to an action is merged. I think not. The additional remedy is not incompatible with the right of action. It is cumulative, and therefore I do not see that the force of the objection before allowed is at all diminished.

It may be true that an action against the Mayor, Recorder, &c. as Supervisors, for refusing to audit and allow, would not be considered such a remedy as to supersede that by mandamus. Bronson J. in McCullogh vs. Mayor, &c. of Brooklyn, 23 Wend. 461. But where there is a plain and adequate remedy by action for the party aggrieved, the writ of mandamus does not lie. I am not aware of any exception to this rule.

Motion denied, without costs.

DOCUMENT No. 42.

BOARD OF ALDERME N,

NOVEMBER 29, 1841.

Alderman Leonard presented the following Preamble and Resolution, which was laid on the table.

SAMUEL J. WILLIS, CLERK.

Whereas, the Croton Aqueduct now being nearly completed, especially that portion being without the jurisdiction of the Corporate Authorities of this City, which required the superintendence of Commissioners empowered with legislative functions by the State Government; and

Whereas, that portion now unfinished being within the limits of the City of New York, and as the expense of the same is to be borne by the people of said city, through their representatives in the Common Council; therefore,

Resolved, That the Counsel of the Board be directed to prepare a memorial to the Honorable the Legislature, respect-

fully requesting, in behalf of the Common Council, that the office of Water Commissioners be forthwith abolished, and that the Mayor, Aldermen and Commonalty of this City be authorized to control and direct the construction and completion of the said Aqueduct, and all the works connected therewith.

DOCUMENT No. 43.

BOARD OF ALDERMEN,

NOVEMBER 24, 1841.

Communication from the Counsel of the Corporation, enclosing the Opinion of the Supreme Court on the returns to Certioraris in Street Cases; and also in relation to the Remedies for the Collection of Assessments. Ordered to be printed and filed.

SAMUEL J. WILLIS, CLERK.

The undersigned has the honor of communicating to the Common Council the annexed opinion of the Supreme Court, in the cases of James Agnew and Eben Meriam, involving the proceedings of the Corporation in the cases of the sewer in Chapel street, and the regrading of Chapel street.

He has also the honor of communicating, that in all the cases in which applications have been made for certioraris to review the proceedings of the Corporation for errors alleged, the applications have either been denied, or, upon a return of the whole proceedings, the certioraris have been quashed. And that by the late decisions of the Chancellor, and of the

Vice Chancellor of the First Circuit, in the several cases in which injunctions have been issued by the Assistant Vice Chancellor, to restrain the sales for assessments, now in progress, all of the said injunctions have been dissolved.

In most of the certiorari cases costs have been denied. In the Chancery suits the final decrees have not yet been obtained.

In the examinations of the subjects above referred to, which the undersigned has been called upon to make, it has appeared to him that the policy of the law was, in all cases, to put the Corporation in funds for the improvements which they might undertake for the public benefit, before they should incur any expenditures. The assessments are, in all cases, made payable long before the awards become due. The remedies provided by the statute for the collection of these assessments, are three-fold—by a distress warrant upon the goods and chattels of the owner, or party interested, who is assessed; by action of debt or assumpsit, or by the sale of the premises assessed. The latter has been the mode usually resorted to; and the consequence has been, occasioned by the necessary delay in preparing for the sale and the time for advertisement, that the City Treasury has always been in advance for these expenditures, and in some instances for a great length of time.

The undersigned is unable to perceive why the more prompt remedy by levy upon the goods of the owners should not be resorted to.

In many instances, the owners have complained that they have lost their property by a sale, of which they have had no notice; and in this way, many cases of very great hardship have occurred. A levy upon the property of the owner will, of necessity, give him direct notice. And if it be considered the duty of the Corporation to collect their dues, for the purpose of meeting the demands against them, the most prompt, and at the same time, most harmless remedies should be resorted to. In view of these considerations, and espe-

cially as the proceedings of the Corporation to collect the assessments have, as yet, withstood every ordeal, notwithstanding the original improvements may not, in some instances, have realized expectations, and against which opposition should have been directed, the undersigned has felt it to be his duty to advise the Comptroller and the Street Commissioner, hereafter, in all cases in which it is practicable, and after giving full and repeated notice, to proceed to collect the taxes and assessments due to the city, by levying a distress warrant, instead of selling the real estate.

The undersigned also communicates to the Common Council, that in all cases of sales for assessments, where proceedings have been instituted to prevent purchasers from obtaining their leases, in which the Corporation have been impleaded, on the ground of alleged informalities, he has put in one united defence for the Corporation and the purchaser, deeming such to be his duty, especially as the expense was not thereby increased.

The undersigned has the honor of submitting this communication to the Common Council, that they may be kept informed of the proceedings of their officers, and that if wrong, they may be corrected.

Respectfully submitted.

P. A. COWDREY.

OPINION

OF THE COURT IN THE CHAPEL STREET CASE.

SUPREME COURT.

THE PEOPLE EX REL. JAMES AGNEW ET AL,
vs.
THE MAYOR, ALDERMEN AND COMMONALTY OF THE CITY OF NEW YORK.

This case arose on the return of the defendants to a certiorari, heretofore issued on the application of the relators, in relation to the proceedings in the construction of a sewer in Chapel street. The points that were raised sufficiently appear in the opinion of the Court.

L. H. SANDFORD and WILLIAM M. HOLLAND for the Relators.

P. A. COWDREY for the Defendants.

BRONSON, J. The writ of certiorari, when issued for the purpose of enabling this Court to exercise its supervisory power over inferior tribunals, removes nothing but the record—or other entry in the nature of a record—of the proceedings in the Court below; and if the return contains any thing more, it cannot be regarded. The record is examined to see whether the subordinate tribunal has kept within the limits of its jurisdiction: but we cannot look beyond it for the purpose of a review on the merits. Such is the settled doctrine of this Court, and it disposes of several of the questions which have been made by the relators. The

return in this case contains nothing in the nature of a record, beyond the ordinance for constructing the sewer, the estimate and assessment made by the persons appointed for that purpose, and the confirmation of the assessment by the Common Council. Those are the only documents upon which any question can properly be made.

Most, if not all, of the objections urged against these proceedings admit of a satisfactory answer; but I shall not give them a particular examination, for the reason, that I think the certiorari ought not to be issued; and that, should some of the points happen to be well taken, it is the writ, and not the proceedings, which ought to be quashed.

The powers exercised by the Common Council of the City of New York are, for the most part, either legislative, executive, or ministerial; and a certiorari only lies to inferior Courts and officers who exercise judicial powers. If it were not for a few modern cases, I should be of opinion that we have no authority to supervise in this way the acts, ordinances and proceedings of the Corporation of the City of New York, or indeed of any other Corporation, public or private. I have searched in vain for a precedent for such a course in the land of the common law; and the first case I have met with any where, in which a certiorari was awarded to a corporation for the pupose of reviewing its proceedings, is that of *Le Roy* vs. *the Mayor, &c., of New York*, 20 *John.* 430; and there, the grounds on which the writ usually issues, rather than the inquiry whether it would lie to a corporation, was the question discussed at the bar and considered by the Court. See, also, *Parks* vs. *the Mayor, &c. of Boston*, 8 *Pick.* 218. All our city, and many of our village, corporations have been vested with very large powers within their respective limits; and if a certiorari will lie to remove into this Court an ordinance for constructing a sewer, it is difficult to see where we can stop, short of reviewing all their acts in the same way, which looks to me like a great stretch of jurisdiction.

But if a certiorari will lie, it does not follow that it should be awarded in every case where the relator may have some ground for complaint. The allowance of the writ rests in the sound discretion of the Court, and it has often been denied where the power to issue it was unquestionable, and where there was apparent error in the proceedings to be reviewed. And if it has been improperly awarded, it is not too late to correct the error after a return and hearing on the merits. *The People* vs. *Supervisors of Alleghany*, 15 *Wend.* 198. And see *The People* vs. *Supervisors of Queens*, February, 1841.

There are, I think, few, if any, cases where an ordinance or assessment for constructing a common sewer, or making any other city improvement, should be removed into this court by certiorari. It is better that persons having cause for complaint should be left to such redress as they may have by action. The case falls within the principle of those which have just been cited; and in the first of those cases a certiorari which had been issued to remove an assessment for county charges was quashed after a return and a hearing on the merits; and there too, the relator had no other remedy. Great public inconvenience must necessarily ensue, if we attempt in this way to review assessments for city improvements, which are not unfrequently as extensive in their influence as assessments for county taxes. The principle objections which have been urged against these proceedings are, first, that the ordinance for constructing the sewer is void, because it does not appear affirmatively, that the ayes and nays were called on taking the vote upon it in the two Boards. Secondly: That the order confirming the assessment is void, for the same reason. Thirdly: That the confirmation could only be made by the whole Corporation assembled in one body, and not by the Common Council in two Boards, as organized under the act of 1830: and fourthly: That no confirmation appears—there being no ordinance

or resolution for that purpose, but only an extract from the minutes of the Common Council.

Now, without considering what answers there may be to these objections, they seem to prove too much for this form of remedy. If the points are well taken, there has been no ordinance for constructing the sewer, nor has the assessment ever been confirmed, and there is nothing to be reached by the certiorari. If the relators have suffered under color of proceedings which never had any legal existence, their remedy is by action. All the other questions which arise upon the record—and we cannot look beyond it—may, for aught I see, be as well tried in some other form as in that which the relators have selected, and we shall do them no harm by withholding this extraordinary remedy. I must not be understood as intimating that a certiorari should be allowed whenever the question can be reached in no other form. There may be many cases where the public inconvenience which would be likely to result from this mode of review, would greatly outweigh the importance of correcting some legal, though, perhaps not very grievous error in the proceedings.

The relators in this case, have taken no objection which is not equally applicable to all the other persons who have been taxed, and the whole assessment must stand or fall together. It is also important to notice that the ordinance for making the improvement was passed, the work done, and the assessment made and confirmed more than three years before the certiorari was sued out. The time of bringing a writ of error from a final judgment is limited by law to two years; and I think a case can rarely happen where it would be proper to allow a certiorari after the lapse of a longer period. This is a sufficient ground for quashing the writ, aside from other considerations tending to the same results. *Certiorari quashed.*

SUPREME COURT.

THE SAME EX REL, EBEN MERIAM, AND OTHERS,
vs.
THE MAYOR, ALDERMEN, AND COMMONALTY OF THE CITY OF NEW YORK.

BRONSON, J. This case depends on the same principles as that on the relation of Agnew and others, in relation to the sewer.

Certiorari quashed.

DOCUMENT No. 44.

BOARD OF ALDERMEN,

DECEMBER 13, 1841.

Report of the Joint Committee on Fire and Water, on the Annual Report of the Chief Engineer. Laid on the table and ordered to be printed.

SAMUEL J. WILLIS, CLERK.

The Joint Committee on Fire and Water, to whom was referred the annexed communication of the Chief Engineer, respectfully

REPORT:

That in the course of their examinations into the present condition of the Fire Department, they have become satisfied that some alterations are necessary to the ordinances now in force, in relation thereto, and which they have carefully prepared, and now submit them for the consideration of the Common Council.

The first amendment which they propose, refers to the

election of the Chief Engineer, which, under the ordinances now in force, takes place every year, in consequence of which, in the opinion of the Committee, great excitement constantly prevails in the Department, which has a tendency to impair its usefulness, and disturb that harmony and good feeling which would otherwise prevail among its members; in addition to which, it places the Chief Engineer in a situation in which he might neglect to pursue that independent course of conduct which is so essential to the faithful performance of his high and responsible duties; they therefore propose that in lieu of the present system, he shall continue in office when elected, so long as a majority of the Firemen, in conjunction with the Common Council, shall think proper to permit him to remain; leaving it optional at any time with a majority of the Firemen, to ask for a new election; in which case it shall be the duty of the Common Council to order one agreeably to their request, in such manner as is now provided by law. This amendment, it will be perceived, places the tenure of that officer in the same situation as it was in former years, with the exception that then the power of removal rested entirely with the Common Council, without any action on the part of the Firemen.

They also propose, that the Chief Engineer, under the direction of the Joint Committee on Fire and Water, shall have the entire control of all the apparatus belonging to the Department, in order that he may at all times have a familiar knowledge of its situation, and know the force upon which he can at all times rely in cases of fire. Under the provisions of the present ordinances, this branch of the Department has been entrusted with the Superintendent of Buildings and Repairs, but in the opinion of the Committee, it is more appropriately the duty of the Chief Engineer, as he is supposed to know at all times what repairs are necessary, and to receive the earliest information of all accidents happening to the apparatus.

In consequence of the extra duties which this provision

will impose upon the Chief Engineer, the Committee recommend that his salary shall be increased to one thousand dollars per annum, which corresponds with the sum received by that officer under former ordinances, which embraced the above services, in addition to those now performed by him.

Under the existing ordinances, the Chief Engineer is authorized to sell and dispose of such of the apparatus as may have been condemned and no longer of any service to the Department: in lieu of which, the Committee recommend that such power be entrusted with the Superintendent of Buildings and Repairs, in consequence of the latter being recognized as a disbursing officer, and the former having no authority of that character.

It frequently happens, that in consequence of quarrels, or other malpractices, it becomes necessary that the apparatus entrusted to the Companies should be taken from them until the difficulty can be adjusted and harmony restored among the members; and this power has heretofore been, and is now, vested in, and exercised by, the Chief Engineer; in consequence of which, ill feeling is often engendered towards him by the parties complained of, which, if possible, it is desirable to avoid; and for that purpose they recommend that it shall be the duty of the Joint Committee on Fire and Water, in all cases where they may think it necessary, to take possession of any fire engine, or other apparatus, and retain the same under their control until, in their judgment, they can be restored to the company or companies from which they may have been taken, with advantage to the Department.

Almost daily complaints are made by our citizens, and with good cause, as your Committee are bound to admit, of the violation of the ordinance relative to the engines and other carriages being drawn upon the sidewalks in times of fire or alarms of fire, thereby causing great damage to the apparatus, and seriously injuring public and private property, as well as endangering the lives of the citizens, and when

the situation of the streets does not warrant the Firemen in so doing. Repeated efforts have been made to prevent a practice so fraught with danger, but as yet without producing the desired effect, as, under the provisions of the present ordinance, no person can be rendered liable to the penalty of the law, except he is recognized as being actually engaged in the violation thereof, the company in no case being responsible as such; and it is known to all, that it is exceedingly difficult, and frequently impossible, especially during the night, to detect an individual under such circumstances, in consequence of which the law is constantly violated with impunity; and so great an evil has the practice become, as to call loudly for some provision whereby it may be abated, if not entirely removed. The Committee therefore propose, that any officer or member of a company, who shall encourage or assist in drawing an engine or other fire apparatus upon the sidewalks in times of fire or alarms of fire, unless the situation of the street may be such as to render it necessary to do so, shall be liable to be expelled from the Department. Such a provision, they hope, will have a tendency to deter the Firemen from persisting in so dangerous a practice, and thereby relieve our citizens from the danger to which they are now so frequently exposed.

Another evil of great magnitude, and which has given rise to frequent and serious disturbances among the Firemen, are the associations of young men and boys, known as volunteers, who, under the garb of Firemen, are in the habit of frequenting engine houses at all hours of the day and night, collecting in large companies around the doors, and in porter houses located in the neighborhood, to the annoyance of passengers, and the inhabitants in the vicinity; and in times of fire taking possession of the public property without any of the regular members of the company being present and controlling their operations; and to such an extent has this practice been carried, that the location of an engine house is now viewed as a serious evil to the neigh-

borhoood, and injurious to the surrounding property. Conduct such as this, is not only calculated to cast a stigma upon the character of the Firemen, but in many instances has, as we have reason to believe, laid the foundation for crime in younger life, which, in more mature years, has been atoned for, either within the walls of a prison, or by an ignominious death upon the scaffold. For the purpose of endeavoring, as far as in their power, to prevent associations of this character, your Committee have embraced a provision in the proposed amendments, whereby any company who shall encourage, suffer, or permit volunteer associations to exist among them shall be forthwith abandoned; and any Foreman, or Assistant Foreman, who shall recognise them as such, shall, upon complaint made and duly proved, be liable to expulsion. This plan is the only one which they have been able to discover, which will have the effect to purge the character of the Department; believing, as they do, that if the Firemen were alone responsible for their conduct, they would very soon assume an entirely different aspect in this community, and that the badge of firemanship, instead of being a bye-word and a reproach, would commend itself to the confidence and respect of all classes of our citizens.

In consequence of the difficulty which the Committee has experienced in bringing offenders to punishment, owing to their inability to recognise the individuals, they have introduced a provision by which the officer in command for the time being, shall forthwith report the name of the person so offending, and in case of his neglect or refusal to do so he shall be held responsible for the same.

It will probably be recollected by the members of the Common Council that, several months since, the Committee recommended that the appropriations made to the different companies, for the purpose of enabling them to employ suitable persons to take charge of the public property, should be discontinued; and that, in lieu thereof, a specific sum should be allowed them annually, to be disposed of in the furnish-

ing of fuel, oil, torches, and other necessary articles connected with their fire apparatus. The sum heretofore expended for that purpose has amounted to about $22,000 per annum, in lieu of which the Committee recommend the adoption of that part of the proposed ordinance, whereby each engine company will receive the sum of $125 per annum; each hook and ladder company a similar sum; each four-wheel hose carriage company, $100; and each of two wheels, $80; to be expended in such way as is in said ordinance specially provided for. By such an arrangement, it is believed that in lieu of the large amount of money heretofore expended, that the sum of $17,000 can be saved to the city, as the whole amount to be expended, under this provision, will be about $9,520, from which is to be deducted the expense of furnishing the articles above referred to, estimated at $4,500 leaving, as a charge upon the Department, $5,020.

Upon a careful examination of the various ordinances which have, from time to time, been passed in relation to the Fire Department, the Committee have been unable to discover that any provision has been made whereby the number of persons to be attached to any one company shall be limited; but it has been left discretionary with the Committee on Fire and Water to regulate them according to the circumstances in which they may be placed; in consequence of which, some companies, at the present time, have more men attached to them than the service requires, thereby imposing an unnecessary burthen upon that portion of our citizens who are subject to jury and military duties: they therefore propose, for the consideration of the Common Council, that from and after the adoption of the ordinance appended to their report, that Companies known as Numbers 22, 38, and 48, having in charge the three largest engines in the department, shall each be allowed fifty men, and no more, the other engines of ordinary size, each thirty men; the hook and ladder companies, each thirty men; hose carriages of four wheels each, twenty-five men; those of two wheels eighteen

men, and each hydrant company fifteen men. They do not propose that any company who may now have a greater number of members than that above specified, shall immediately reduce them, in conformity with such provision; but as vacancies occur, they shall not be supplied except in cases where such number is less than that specified in the ordinance.

The Committee have also had under consideration the subject of dividing the city into separate and distinct districts; but they have been unable, as yet, to mature the plan, so as to report the same for the action of the Common Council.

Your Committee have devoted much time and attention to this important branch of our city government, in the anxious hope that the amendments which they have proposed will have a beneficial effect, both upon the efficiency and character of the Department; and with that view they have called to their aid the wisdom and experience of those who have long been engaged in its service; and they are happy in being able to state, that the proposed alterations have received the sanction and approbation of those who feel an interest in its welfare, and who now look forward, with renewed hope, that the day is not distant when, with such provisions as we have submitted, strictly enforced, the Fire Department will again assume its ancient character, and once more become the pride of its members, and an ornament to our city.

Respectfully submitted.

C. B. TIMPSON,
MORRIS FRANKLIN,
A. HATFIELD,
DANIEL WARD,
WILLIAM ADAMS,
DANIEL D. BRIGGS.

Dated New York, December 13, 1841.

AN ORDINANCE

To amend and alter Chapter XV. of the Revised Ordinances, entitled "Of Fires and the Fire Department," passed April 23, 1839; and also an ordinance entitled "An Ordinance to amend and alter the Laws and Ordinances now in force relative to Fires and the Fire Department in the City of New York."

The Mayor, Aldermen and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

Section 1. The Fire Department of the said City shall consist of a Chief Engineer, nine Assistant Engineers, a Water Purveyor, and as many Fire Wardens, fire engine men, hose men, hook and ladder men, and hydrant men, as are or may from time to time be appointed by the Common Council, and who shall respectively be distinguished by the several appellations aforesaid.

§ 2. The nomination of the Chief Engineer and Assistant Engineers, shall be made by the Firemen by ballot, at such time as the Common Council may hereafter appoint, and the persons receiving the greatest number of votes for the respective offices, shall be thereupon entitled to a nomination to the Common Council for appointment to such offices. Such appointment to continue during the pleasure of the Common Council, or until a new election, which shall be asked for by a majority of the Firemen, shall have been held, and the nomination made by them duly confirmed.

§ 3. Whenever a vacancy shall occur in either of the offices of Chief Engineer, or Assistant Engineers, the Engineers and the foremen of the fire companies collectively, shall have power, and it shall be their duty, to call a special

election, and designate the time for holding the same, to the end that a nomination, pursuant to the provisions of the ordinance, may be made to the Common Council to supply such vacancy.

§ 4. The Chief Engineer shall, in all cases of fire, have the sole and absolute control and command over all the engineers, and other persons connected with the Fire Department. It shall be the duty of the Chief Engineer to direct the other engineers to take proper measures to arrange the several fire engines in the most advantageous manner, and to cause them to be duly worked for the effectual extinguishment of fires. It shall also be the duty of the said Chief Engineer to examine twice in every year, into the condition and number of the fire engines and other fire apparatus, and fire engine houses, and to report the same once a year to the Common Council, together with the names of all the members of the Fire Department, and the respective associations to which they belong. It shall also be the duty of the Chief Engineer, to report in writing, all accidents by fire that may take place in this city, with the causes thereof, as well as they can be ascertained, and the number of, and description of, the buildings destroyed or injured, together with the names of the owners or occupants, to the Common Council; and it shall also be his duty, whenever any of the fire engines, hose carts, trucks, and hooks and ladders, or other fire apparatus shall require to be repaired, to report the same forthwith to the Joint Committee on Fire and Water, and under their direction to superintend the repairs thereof, and report all violations or disobedience of orders to said Committee, and at all times to be under the direction of said Committee.

§ 5. The Superintendent of Buildings, under the advice of the Committee on Fire and Water, is authorized to sell for cash, any old and condemned fire engines and hose deposited at the public yard, and shall pay the money received for such

engines or hose when sold, to the City Treasurer, and deposit the receipt for such money with the Comptroller.

§ 6. The Committee on Fire and Water shall be authorized and empowered to take any fire engine, hook and ladder truck, or hose cart, from the company, and place the same in the public yard, or give the same to some other company.

§ 7. The Chief Engineer shall receive for his services, a yearly salary of one thousand dollars, payable quarterly, and shall, before entering upon the duties of his office, take and subscribe an oath or affirmation, well and faithfully to perform such duties.

§ 8. No fire engine nor hook and ladder truck, nor hose cart, shall, in going to, or returning from, any fire, or at any other time, be run, driven, wheeled, or placed upon any sidewalk, except by the special order of one of the engineers, under the penalty of twenty-five dollars for each offence, to be forfeited and paid by every person aiding or assisting in, or consenting to the violation of any one of the provisions of this section, to be recovered by the Attorney of the Common Council, for the use of the Corporation, and also under the further penalty of the expulsion of the foreman and assistant foreman, and all members of the company, who may aid or assist in, or consent to such violation.

§ 9. No boys or other persons known as "volunteers," shall be permitted to assume the garb of Firemen, have access to any of the places of deposite of the fire engines, hose, hooks and ladders, or other apparatus of the Fire Department, or run as members with any such engine, hose cart, or hook and ladder truck, or form any associations similar in any way to those now known as "volunteer associations;" and any fire company in the City of New York, which shall consent to any violation of the provisions of this section, shall be forthwith disbanded.

§ 10. That in case of any breach of the peace or other violation of good order, on the part of any of the Firemen

while on duty, it shall be the duty of the officer in command for the time being, forthwith to report the name of the person or persons so offending, to the Committee on Fire and Water, and in case of his neglect to do so, he shall be held responsible for the same.

§ 11. It shall be the especial duty of the foreman and assistant foreman, of each engine, hose, and hook and ladder company, to see that the provisions of the last preceding section of this ordinance, are fully and strictly enforced, so far as regards the company to which such foreman or assistant foreman may be attached, and if either or both of them aid or consent to the violation of the provisions of such section, they or either of them so offending, shall be immediately expelled from the department.

§ 12. Engine Companies Nos. 22, 38 and 42, shall hereafter consist of fifty men each, and all other engine companies of thirty men each; hook and ladder companies of thirty men each; hose companies with four wheeled hose carriages, of twenty-five men each; hose companies with two wheeled hose carriages, of eighteen men each; and hydrant companies of fifteen men each; and the Chief Engineer is hereby directed not to allow the above named companies to exceed the number of men specified.

§ 13. Each engine, hose, and hook and ladder company shall hereafter procure for their own use, all oil and cans, fuel, signals, torches, tubs, pails, stoves, and all other things necessary to the cleaning of the fire apparatus of such company; they shall also procure or cause the cleaning and painting of their engine, hose, and hook and ladder houses, and all their fire apparatus to be done; and shall annually receive therefor the following sums in lieu of salaries of cleaners, to wit:

Engine companies, one hundred and twenty-five dollars per annum.

Hose companies with four wheeled hose carriages, one hundred dollars per annum.

Hose companies with two wheeled carts, eighty dollars per annum.

Hook and ladder companies, one hundred and twenty-five dollars per annum.

Commencing January 1st, 1842, and that such sums respectively shall be paid by the Comptroller quarterly, upon the order of the foreman, approved by the Chairman of the Committee on Fire and Water.

§ 14. The first nomination under this ordinance shall take place between the first and second Tuesdays in June (inclusive) 1842.

§ 15. Engine Company No. 9, shall be hereafter known as Hose Company No. 35.

Engine Company No. 47, as Hose Company No. 34.

The Third Ward Hose Company, as Hose Company No. 27.

The Fifth District Hose Company, as Hose Company No. 28.

Hose Company No. 44, as Hose Company No. 29.

Hose Company No. 43, as Hose Company No. 31.

Hose Company No. 42, as Hose Company No. 32.

Making the numbers and locations of the fire apparatus of the city as follows:—And the Clerk of the Common Council is hereby authorized to make the necessary alterations in accordance with this ordinance.

Engine 1 Clinton square, foot of Duane street.
" 2 Eldridge, near Division street.
" 3 Orange, near Prince street.
" 4 North Dutch Church, Ann street.
" 5 North Dutch Church, Fulton street.
" 6 Reade street, near West Broadway.
" 7 Rose, near Frankfort street.
" 8 Ludlow, near Broome street.
" 9 Disbanded.
" 10 Third street, near the Bowery.
" 11 Wooster, near Prince street.

Engine 12 William, near Duane street.
" 13 Duane, near William street.
" 14 Corner Vesey and Church streets.
" 15 Christie, near Walker street.
" 16 Disbanded.
" 17 Walnut, near Grand street.
" 18 Amity street, near Sixth avenue.
" 19 Elizabeth, near Grand street.
" 20 Cedar, near Greenwich street.
" 21 Lumber, near Cedar street.
" 22 Chambers, near Centre street.
" 23 Anthony street, near Broadway.
" 24 Seventeenth street, near Ninth avenue.
" 25 Twenty-third street, near Fifth avenue.
" 26 Madison, near Rutgers street.
" 27 Watts, near Greenwich street.
" 28 Disbanded.
" 29 Horatio street, near Ninth avenue.
" 30 Disbanded.
" 31 West Broadway, near Beach street.
" 32 Hester, near Allen street.
" 33 Gouverneur, near Henry street.
" 34 Christopher, near Hudson street.
" 35 Harlaem.
" 36 Varick, near Vandam street.
" 37 Delancey, near Allen street.
" 38 Nassau, near Ann street.
" 39 Doyer, near Chatham square.
" 40 Mulberry, near Broome street.
" 41 Corner Delancey and Attorney streets.
" 42 Beaver, near William street.
" 43 Manhattanville.
" 44 Houston, near Lewis street.
" 45 Yorkville, Third avenue.
" 46 Twenty-fifth street, near Bull's Head.
" 47 Disbanded.

Engine 48 Thirteenth street, near Sixth avenue.
" 49 Harlaem.
" 50 Bloomingdale road, Harsenville.

HOSE COMPANIES.

No. 1 Four-wheel, Duane, near William street.
" 2 Two-wheel, William, near Duane street.
" 3 Two-wheel, Centre near Hester street.
" 4 Two-wheel, Attorney, near Delancey street.
" 5 Four-wheel, Mercer, near Prince street.
" 6 Four-wheel, Gouverneur, near Henry street.
" 7 Two-wheel, Christie, near Stanton street.
" 8 Four-wheel, Cedar, near Nassau street.
" 9 Four-wheel, Mulberry, near Broome street.
" 10 Two-wheel, Roosevelt, near Cherry street.
" 11 Two-wheel, Jefferson Market, Sixth avenue.
" 12 Four-wheel, Seventeenth street, n. Ninth avenue.
" 13 Two wheel, Eldridge, near Division street.
" 14 Two-wheel, Elizabeth, near Bayard street.
" 15 Two-wheel, Essex market, Grand street.
" 16 Two-wheel, Beaver, near Broad street.
" 17 Four-wheel, Fifth street, near Second avenue.
" 18 Two wheel, Franklin Market, Old slip.
" 19 Two-wheel, Courtlandt alley, near Canal street.
" 20 Two-wheel, John, near Dutch street.
" 21 Two-wheel, Henry, near Catharine street.
" 22 Two-wheel, Hester, near Allen street.
" 23 Two-wheel, Charles, near Hudson street.
" 24 Two-wheel, Renwick, near Spring street.
" 25 Two-wheel, Leonard street, near Broadway.
" 26 Two-wheel, Monroe, near Jefferson street.
" 27 Two-wheel, corner Vesey and Church street.
" 28 Two-wheel, Chambers, near Centre street.
" 29 Two-wheel, Willett, near Rivington street.
" 30 Two-wheel, Bowery, near Thirteenth street.

No. 31 Two-wheel, Willett, near Rivington street.
" 32 Two-wheel, Third street, near Bowery.
" 33 Two-wheel, Sullivan, near Prince street.
" 34 Two-wheel, Tenth street, near avenue D.
" 35 Two-wheel, Mercer, near Bleecker street.
" 36 Two-wheel, Henry, near Catharine street.

HYDRANT COMPANIES.

No. 1 John A. Blackledge, Foreman..
" 2 Allen R. Jollie, Foreman.
" 3 Daniel Coger, Foreman.

HOOK AND LADDER COMPANIES.

No. 1 Beaver street, near Broad street.
" 2 Chambers street, near Centre street.
" 3 Horatio street, near Ninth avenue.
" 4 Eldridge street, near Walker street.
" 5 Corner of Delancey and Attorney streets.
" 6 Mercer street, near Prince street.
" 7 Harlaem.
" 8 Disbanded.
" 9 Disbanded.
" 10 Third avenue, Yorkville.

FIRE WARDENS. Six in each of the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh, Thirteenth, Fourteenth, Fifteenth, Sixteenth and Seventeenth wards.

§ 16. All ordinances, or parts of ordinances, inconsistent with the provisions of this ordinance, are hereby repealed.

DOCUMENT No. 45.

BOARD OF ALDERMEN,

DECEMBER 13, 1841.

Report of the Committee on the Croton Aqueduct, in accordance with the Ordinance providing for the Accountability of Executive Committees. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on the Croton Aqueduct, in accordance with the Ordinance providing for the Accountability of Committees, respectfully

REPORT:

That at a meeting held November 26th, 1841, present, Aldermen Leonard, Williams and Lee; Assistant Aldermen Brevoort and Adams, the following bills were audited and passed:

Workmen's wages	$	1,722 18
Cartage of pipe		591 38
Amount carried over	$	2,313 56

Amount brought forward.....	$	2,313 56
Stillman & Co., for pipe		2,177 93
David C. Wood, for pipe.....		1,075 24
A. M. Jones, for pipe.....		2,236 60
Merrick & Town, for pipe		1,692 38
James Robertson, for stopcocks.....		1,436 00
T. & G. Rowe, for castings		680 93
H. V. B. Barker, for excavating.....		848 38
James McCullough, for lead		1,559 16
W. Plumb, for sundries.....		13 06
W. Whitley, for wood.....		31 88
Daniel Martin, for sundries.....		32 81
Charles O'Neil, for charcoal		28 51
John Ely, for tools.....		36 88
Wm. Condon, for hammers.....		75 00
Baxter & Mott, for sundries		79 68
Campbell & Moody, for timber		1,033 61
Patrick M'Cafferty, for trenches.....		2,561 91
John Cummings, for castings		1,048 03
Wm. Westerfield, for cart.....		65 00
T. D. Howe, for mason work.....		231 57
James P. Allaire, for pipe		1,783 81
Chollar & Jones, for pipe		6,860 49
	$	27,902 37

They also approved of Charles Hillsburgh's bill of lead, purchased by the Water Commissioners for the use of the work above Forty-second street, amounting to $5,829 91.

At a meeting held December 10th, 1841, present, Aldermen Leonard, Williams and Lee; Assistant Aldermen Brevoort and Ward, the following bills were audited and passed:

Workmen's wages	$	1,298 67
Cartage of pipe.....		516 13
Amount carried over.....	$	1,814 80

Amount brought forward	$ 1,814 80
H. V. B. Barker, for excavating	981 31
James M'Cullough, for lead	626 76
Blair & Quinn, for trenches.....	472 94
Postley & Co., for castings	431 92
Stillman & Co., for pipes	2,692 23
Chollar & Jones, for pipes	12,505 10
J. W. Brick, for pipes	2,627 60
A. M. Jones, for pipes	2,198 97
Winterton & Myers, for pipes	4,661 35
John Ely, for tools	24 13
Wm. Plumb, for sundries	63 00
Peter Quin, for trenches	445 02
	$29,545 13

They also approved the bills of the Water Commissioners, for work and materials above Forty-second street, amounting to $6,020 85.

Respectfully submitted,

MOSES. G. LEONARD,
FREDERICK R. LEE,
RICHARD S. WILLIAMS,
HENRY BREVOORT,
DANIEL WARD.

DOCUMENT No. 46.

BOARD OF ALDERMEN,

DECEMBER 13, 1841.

Report of the Committee on Public Offices and Repairs, in accordance with the Ordinance providing for the Accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on Public Offices and Repairs, in accordance with the ordinance making provision for the accountability of Executive Committees, respectfully

REPORT:

That they have audited and passed the following bills:

Nov. 25, 1841.	Workmen's wages	$724 29
" "	E. Nichols, tin work	20 00
	Amount carried over	$744 29

		Amount brought over	$744 29
Nov. 25,	1841.	T. S. Corey, turning, ...	20 00
"	"	M. Crane	13 50
"	"	James Van Houton, making hose	8 00
"	"	C. V. Anderson, printing	7 25
"	"	Langshore & Reblet, timber	3 60
"	"	William Elder	1 25
"	"	John Barry, work	9 37
			$807 26

Of which $477 13 was for repairs and supplies, and $330 13 was for the Fire Department.

Dec. 10,	1841.	Workmen's wages	$732 76
"	"	W. H. Dunn, feed	83 51
"	"	M. H. O'Connor	32 62
"	"	Henry Cahone	23 88
"	"	D. T. Johnson, painting	130 50
"	"	Isaac Edwards, making hose ...	12 70
"	"	John Barry, work	6 75
"	"	Edward Riker, sundries	3 75
			$1,026 47

Of which $617 40 was for repairs and supplies, and $409 07 was for the Fire Department.

FREDERICK R. LEE,
C. BALIS,
C. B. TIMPSON.

DOCUMENT No. 47.

BOARD OF ALDERMEN,

DECEMBER 27, 1841.

The following Communication was received from his Honor the Mayor, returning, with his objections, the resolution, authorizing the Mayor, Aldermen, and Commonalty of the City of New York, to seize certain unclaimed lands. Ordered on file, and to be printed.

SAMUEL J. WILLIS, CLERK.

MAYOR'S OFFICE,
December 27th, 1841.

To the Honorable the Board of Aldermen:

GENTLEMEN,—I herewith return to your Honorable Body, with my reasons for not approving it, a resolution which originated in your Board, of which the following is a copy:

"*Resolved*, That pursuant to the provisions of the Act, entitled 'An Act authorizing the Mayor, Aldermen, and Commonalty of the City of New York, to take possession of certain unclaimed lands,' passed March 26th, 1819, the Comp-

troller be, and he is hereby, directed to take immediate possession for, and on behalf of, the Mayor, Aldermen, and Commonalty of the City of New York, of all the lots, pieces, or parcels of land designated in the annexed schedule, provided the rightful owners do not appear and claim possession of the same."

The Act of the Legislature referred to in this resolution, does not compel the Corporation "to take possession," &c: it only authorizes them to do so.

This statute authorizes the Common Council thus to take possession of the lots, or pieces, or parcels of land, as well where the owners are known and reside in the city, as where they are unknown.

If the city does take possession of the property, they hold it as trustee for the benefit of the real owners, and are compelled to deliver the property to such owners upon demand, and upon the owners paying to the city authorities all sums due thereon for taxes and assessments, and also the *value* of the improvements which may be made, or erected upon the same by the Common Council: the amount to be paid by the owners for such improvements, shall, in no case, exceed two-thirds of the value of the lands. The Mayor, Aldermen, and Commonalty of the city, are then *to account* to such owner, and pay over to him all the rents, issues, and profits, which they may receive on account of such premises.

There is nothing in the law authorizing the Common Council to abandon the trust after they shall have assumed it. They can only be relieved from the trust by the demand of the owner. They must remain the trustee of the owner so long as the owner desires it. The Common Council will be subject to the laws applicable to trustees and cestuque trusts, with the limitations and alterations made by this particular law.

A careful examination of this statute, will show so many questions of law may arise between the owner of the property, or the purchaser of his interest at sheriff's or master's

sale, and the Corporation, or persons who may hire the property from the Corporation, that no prudent person would hire such property from the Corporation. If so, it will be injudicious in the Corporation to assume the trusteeship of property under its provisions. The Corporation should not, and I am confident that, knowingly, they will not rent to individuals, property under circumstances which may expose such citizens to a total loss of the improvements they may erect upon it, or which may expose the Corporation to actions to recover from them the damages which citizens may have sustained by reason of the improvements erected, or which will require the Corporation, from a sense of justice, to pay to citizens, from the public treasury, what the strict rules of law would prevent their recovering.

What is intended by the statute by "the true owners of the property?" Does it mean only the owner at the time the Corporation took possession of the property, or does it also embrace all persons who may subsequently become the owners of it by purchase at sheriff's sale, under judgments obtained before the Corporation took possession, or upon decrees upon mortgages given previously. By a careful reading of the statute, it will be seen that "the true owners of property" mentioned in the statute, are also the owners of the rents, issues, and profits which may be received by the Corporation. These rents, issues, and profits thus collected by the Corporation, cannot go to the purchaser under execution or decree in chancery, consequently purchasers under executions and decrees are not embraced in the words "true owners," and they would not be compelled to pay for the improvements. There are no words in the statute extending its provisions against the assigness of the owner.

Again, the statute authorizes the Corporation to receive the *value* of the improvements made by the Corporation; there is nothing in the letter of the statute which authorizes the lessees of the Corporation to receive the value of the improvements which the lessees may make. As these are

rights given by statute, they most probably should be strictly construed and confined to the express letter of the statute.

These are some of the questions which would arise under this statute, and it is certainly very questionable whether they could be legally decided in favor of the Corporation or their lessees.

Did not these legal questions exist, still, upon the ground of benefit to the Corporation, I am of the opinion we should not accept and act under this statute.

The Corporation takes possession of these vacant lots, and thus assumes to act as the trustee of the owners. The Corporation could not, for taxes due to itself, sell the property thus in its possession. By assuming the trust, the Corporation agrees to collect the taxes and assessments out of the rents, issues and profits of the land. The tax, then, cannot be received by the city, until the city rents the property. The city is authorized to make improvements upon the lots. If she does so, then the whole rent, both for the land and improvements, is for the benefit of the owners. When the owner demands the possession of the property, all he has to pay for the improvements is the *value* of them, at the time they are delivered to him. Therefore, the Corporation would lose the interest of the cost paid, and also the deterioration of the improvements, and would be obliged to *account* to the owners for all the rents, issues and profits. This word, "account," might be legally construed to compel the Corporation to pay interest to the owners upon the rents received, which shows, certainly, a great pecuniary loss by the Common Council, besides compensating officers to attend to the property.

It may be said that the Corporation are not compelled to make improvements. This is true. If they hired the property out, the citizen renting it would make improvements, and would be exposed to the losses I have suggested.

The Corporation should not hold the position of landlord It is their interest to sell all the property they now own

which is not required for their business purposes. It is certainly more obligatory upon them not to hold the position of landlord for the benefit of others.

For these reasons I withhold my approval to the resolution.

The schedule of property of the Street Commissioner, annexed to the resolution, contains thirty-nine parcels of land; the owners of thirty-four of which are known, and are residents of this city; leaving five pieces, the owners of which are unknown. It is certainly equitable, that property which has no owner should go into the Public Treasury, in such manner as to save the value thereof for the owner, should he ever appear to claim it. I therefore suggest that a law should be asked for, authorizing the Corporation, after proper notice, to sell such property at auction, and to give a conveyance for the same in fee, and to appropriate the avails for the purposes of the city government. An account should be kept of all monies thus received, that the owner, when he shall appear, may receive the monies thus belonging to him. The Corporation should not be compelled to pay interest upon these monies, because the use of the monies is not more than a just compensation to them for preserving the amount for the owner.

ROBT. H. MORRIS.

DOCUMENT No. 48.

BOARD OF ALDERMEN,

DECEMBER 27, 1841.

Annual Estimate of the Revenues and Expenditures of the Mayor, Aldermen and Commonalty of the City of New York, for the year 1842*; with the amount necessary to be raised by tax. Ordered to be printed and referred to the Finance Committee.*

SAMUEL J. WILLIS, Clerk.

Comptroller's Office,
December 27, 1841.

To the Honorable the Common Council of the City of New York:

Gentlemen—The estimate of the revenues and expenditures of the City Government, for the year 1842, is herewith presented as a basis for the general appropriation bill, and for the usual annual application to the Legislature to raise money by tax. The accounts of the Croton Aqueduct are omitted, but will be presented as soon as the Engineers can prepare their estimates.

The estimates for the current expenditures of the Corporation, above its ordinary revenue, is not more than one million and fifty thousand dollars, the amount of tax to be applied for to the State Legislature. This exhibits some reduction below the actual disbursements of the present year. The undersigned, however, has given the items more in detail than has been customary, in order that the Common Council may be fully enabled to judge, both of their necessity and sufficiency, in considering the appropriation bill.

Most respectfully submitted.

ALFRED A. SMITH,

Comptroller.

GENERAL ESTIMATE

FOR THE EXPENDITURES OF THE CITY CORPORATION,

For the year 1842.

To be met by special assessments on	
Streets, Opening	$ 58,000
Streets, Paving, &c.	120,000
Fencing Lots	3,000
Wells and Pumps	8,000
Liens on Lots	6,900
Cleaning Docks and Slips	16,000
Charges on Arrears of Assessments	3,000
Charges on Arrears of Taxes	5,000
Temporary Bonds issued in anticipation of Streets Opening Assessments	250,000
Interest thereon	7,000
Interest on Streets, Paving, &c.	15,000
Interest on Fencing Lots	1,000
Interest on Wells and Pumps	500
	$493,400

To be met by Loans.

For Croton Aqueduct Completion	* $1,500,000
" Water Pipes	400,000
" Temporary Water Loan	1,176,686
" February and May Interest on Water Stock	226,000
" February Interest on Temporary Water Loan	28,000
" Treasury Bonds for Water Loan	350,000
" Interest on ditto	21,000

* Added while in press.

Expenditure to be met by Arrears of Tax.

Outstanding Warrants	$300,000
Revenue Bonds	202,000
Redemption of Floating Debt	50,000

Amounts to be met by Special Tax under General Laws.

For Public Schools		$ 97,000
" Expenses of School Commissioners		500
" Delinquencies of Tax		500
" Levying Tax		14,500
" Redemption of Floating Debt		50,000
		$162,500

Expenditures to be met by the Ordinary Revenue and General Taxation, under Authority to be applied for at the coming Session of the State Legislature.

Alms House.

For Salaries	$ 35,788 20	
" Incidentals	214,211 80	
		$250,000

Board of Health.

For Salaries	$3,300	
" Lime	400	
" Printing	200	
" Removing Nuisances	1,600	
		5,500
Amount carried forward		$255,500

Amount brought forward		$255,500
Cleaning Streets.		
To Ward Inspectors for sweeping	$55,000	
" " " for carts	56,000	
" Inspectors of Manure	2,800	
" Forages for public Horses	2,800	
" Sweepers employed from Office ...	10,000	
" Private Carts employed from Office	7,000	
Salary of Superintendent and Clerk ..	1,850	
Birch Brooms, Repairs to Carts, Harness, &c.	4,550	
		140,000
Markets.		
Supply of Water	$ 1,000	
Salaries	11,000	
Birch Brooms, Printing, &c.	500	
		12,500
Cleaning Corporation Slips		5,000
Police.		
Salaries of Justices and Clerks	$17,050	
Officers, Sunday and Special, Police, &c.	22,950	
		40,000
Fire Department.		
Leather for Hose	$2,088	
Burs and Rivets for Hose	700	
Three men to make Hose	1,800	
Mending Hose, four men	2,400	
Two Cartmen	1,200	
Horses and Carts	300	
Amounts carried forward	$8,488	$453,000

Amounts brought forward	$8,488	$453,000
Blacksmiths and Helpers	2,000	
Engineers in shop, six men	3,600	
Two men in hook and ladder shop	1,200	
Ten Bell Ringers	7,300	
Materials for Smiths.....	500	
Lumber	1,000	
Appropriation to Companies	9,500	
Incidental Expenses	2,612	
		36,200
Courts.		
Salaries	$20,000	
Other expenses	21,000	
		41,000
Justices' Courts.		
Salaries	$14,000	
Rent of Court Rooms	700	
		14,700
Intestate Estates.		
Salary	$1,250	
Printing and Stationery	250	
Office Rent and Incidentals	300	
		1,800
Coroner's Fees		5,000
Penalties		3,000
Repairing Corporation Docks and Slips		16,000
Lands and Places.		
Salaries of Keepers.....	$2,200	
Labor and materials.....	6,500	
		8,700
Amount carried forward		$579,400

Amount brought forward		$579,400
Public Reservoir.		
Salaries	$1,000	
Supplies of water	2,500	
Incidental expenses	2,200	
		5,700
Repairs and Supplies.		
For Repairs to Public Buildings	$23,000	
" " Wells and Pumps ...	8,500	
" " Markets	1,500	
" " Lamps and Gas	1,500	
" " Police, Watch, &c ...	2,000	
" " Lands and Places	750	
" " Streets	1,000	
		38,250
Street expenses		30,000
Roads and Avenues		16,000
Real Estate.		
Assessments on City Property	$8,000	
Building new Docks and Slips	46,000	
		54,000
Elections		7,000
Commutation of Aliens		100
Mayoralty Fees		63
Printing and Stationery.		
For Departments	$2,300	
" Clerk of Common Council	2,500	
" Documents of Common Council	3,600	
" Proceedings Board of Aldermen	3,300	
" " Board Assist. Aldermen	3,300	
" Incidentals	5,000	20,000
Amount carried forward		$750,513

Amount brought forward		$ 750,513
Salaries		60,000
Tavern and Excise Licenses		1,200
Interest.		
On City Stocks of 1820 and 1829	$25,000	
" Building Stock	25,650	
" Fire Indemnity Stock	18,000	
" Floating Debt	21,000	
" Temporary Bonds	12,000	
		101,650
Lamps and Gas.		
For Oil	$52,000	
" Lighting Lamps	41,000	
" Supply of Gas and Lighting	18,500	
" Repairs and new Lamp Frames	1,200	
" Painting and Glazing	2,500	
" Setting Posts and Irons	800	
" Starting Oil, Spinning Wicks, &c	250	
" Salary of Superintendent	1,000	
		117,250
Watch.		
Pay of Captains	$5,460	
" Assistants	8,636	
" Men	209,300	
" Cleaning Watch Houses	1,690	
" Incidental extras	8,914	
		234,000
Contingencies		40,000
		$1,304,613
Amount of Revenues		260,000
		$1,044,613

DOCUMENT No. 49.

BOARD OF SUPERVISORS,

DECEMBER 28, 1841.

Report of the Committee of the Board of Supervisors, upon the resolution to increase the salary of the Assessors. Laid on the table, and ordered to be printed.

SAMUEL J. WILLIS, CLERK.

Resolved, That a Committee of three be appointed to take into consideration, and report on the several matters recommended by the Board of Assessors.

By J. POLLOCK.

The Committee of the Board of Supervisors, to whom was referred the resolution taking into consideration the several matters recommended by the Board of Assessors, asking for an increase of salary, &c., respectfully

REPORT:

That as the law now stands, all the Assessors, excepting those of the Twelfth ward, receive the same compensation

for their services, viz: three hundred dollars each, per annum. This law, doubtless contemplated the time and labor of making the assessments, to be equal, or nearly so, in the respective wards, or there could have been no justice or reason in fixing the same price to the several wards. Upon the principle, that every man's time is equally valuable, and that a proper equivalent should be given for labor performed, and if three hundred dollars is the lowest minimum price that any Assessor should receive, then a portion of them who have much more labor to perform should receive a larger compensation. Taking three hundred dollars as a fair compensation for the Assessors of the Second ward, (for the Committee understand the Assessors of that ward to say, that that is a fair equivalent,) then upon the principle above stated, many of the other Assessors should receive a greater salary, to be equally compensated. The Committee found it to be a difficult matter to fix upon any principle to appropriate the money to the several Assessors, so that each might receive a compensation in exact proportion to the services performed. In this your Committee were assisted by the Assessors who appeared before them and presented them with a list of all the assessible inhabitants in the several wards. Your Committee thought they could fix upon no more equitable rule, than making the number of individuals assessed the ratio of compensation. This will hold good in most of the wards, excepting the Twelfth and Sixteenth, to which it was not applied, and for which salaries are recommended that, it is believed, will compensate the Assessors for their time. Allowing three hundred dollars to be but a fair compensation for the Assessors of the Second ward, and as the number of assessible inhabitants is much less in that ward than any other, it will be perceived the Committee have thought an increase of salary to the Assessors of the other wards, not only equitable and just, but as they trust they will be able to show even necessary to a proper equalization of the taxes. In carrying out the above rule, your Committee believe it

will be sufficiently near the right, to be equitable and also satisfactory to all, to divide the wards into four classes, varying the prices to each class as above recommended. The following is the classification as recommended by the Committee:

To the Assessors of the Second, Third, Fourth, Sixth, Tenth, and Fourteenth Wards, the Committee recommend the payment of the same salary which they now receive, viz., three hundred dollars each; to those of the First, Fifth, and Thirteenth wards, four hundred dollars each; to those of the Seventh, Eighth, Ninth, Eleventh, Fifteenth, and Seventeenth wards, four hundred and fifty dollars each; to those of the Twelfth and Sixteenth wards, six hundred dollars each. This difference in the aggregate amount of money paid to the Assessors, is equal to three thousand dollars increase; or, in other words, where it now costs ten thousand eight hundred dollars for assessing the property in the several wards, it would cost thirteen thousand eight hundred dollars, at the prices above recommended. Allowing the whole of the property assessed to amount to two hundred millions of dollars, this increase would then only be equal to one and a half mills to the one hundred dollars of property assessed. This amount, though inconsiderable in itself, would be sufficient to pay the honest public servant in making a full and diligent search for property that has hitherto evaded the grasp of the Assessor; being personal property, and in the hands of individuals who have sought opportunities to evade justice, and have shared all the blessings of goverment without bearing any of its burdens, whilst it would not increase the burden of our taxes to any perceptible amount. The Assessors expressed a firm conviction that, if properly rewarded for their services, they would be enabled to return a large amount of personal property that has long escaped the knowledge of the officers, who have not been enabled to make all that due inquiry and diligent search, that is necessary to render equal and exact justice to

all. In a mixed community, like the one in which we live, composed of all classes of individuals, many are willing, and even seek opportunities, to elude the ends of public justice by evasions that are unworthy as they are contemptible; whilst others will resort to gross frauds to cheat the public officers, claiming the right to swindle the Corporation, upon the ground of their being a rich public body, and being better able to bear it than individuals; and hence their dealings with individuals have been honorable, and they stand unsuspected. With such men the honest man has not an equal chance; whilst he voluntarily gives up his property, and submits to the wholesome rules of the law, the burdens and expenses of government fall upon him, and his crafty and deceptive neighbor shares only in its protection and blessings. This evil your Committee believe would, at least to some extent, be removed; and that much more than enough to make up the difference, as suggested, of personal property, would be returned, that in justice, should pay its proportion into the Public Treasury.

With these considerations the Committee submit for adoption the following resolutions:

Resolved, That the Assessors of the Second, Third, Fourth, Sixth, Tenth, and Fourteenth Wards, shall receive as a compensation for their services as Assessors, the sum of three hundred dollars each.

Resolved, That the Assessors of the First, Fifth, and Thirteenth Wards, shall receive as a compensation for their services as Assessors, the sum of four hundred dollars each.

Resolved, That the Assessors of the Seventh, Eighth, Ninth, Eleventh, Fifteenth, and Seventeenth Wards, shall receive the sum of four hundred and fifty dollars each, as a compensation for their services as Assessors.

Resolved, That the Assessors of the Twelfth and Sixteenth Wards, shall receive the sum of six hundred dollars each, as a compensation for their services as Assessors of their respective wards.

All of which is respectfully submitted.

JAMES POLLOCK,
MOSES G. LEONARD.

DOCUMENT No. 50.

BOARD OF ALDERMEN,

DECEMBER 27, 1841.

Report of the Comptroller, for the Quarter ending October 31, 1841, *in relation to the Accounts of the City Chamberlain. Ordered to be printed and to be placed on file.*

SAMUEL J. WILLIS, CLERK.

COMPTROLLER'S OFFICE,
CITY OF NEW YORK, DECEMBER 27, 1841.

To the Honorable the Common Council:

I herewith submit to your Honorable Body the certificate of the Cashier of the Bank of the State of New York, showing the balances standing to the credit of the City Chamberlain on the 1st of November last, together with the account current of the Chamberlain.

These accounts have been examined, and compared with the vouchers in this office, and found correct.

The balance on that day, in the general fund, was one hundred and five thousand one hundred and eighty-eight dollars and thirteen cents; the uninvested balance in the Sinking Fund, was fifty thousand four hundred and twenty-one dollars and fifty-one cents; and the amount belonging to the fund for "Interest on the Fire Loan," was ten thousand five hundred and eighty-four dollars and sixty-nine cents.

Respectfully submitted.

ALFRED A. SMITH,
Comptroller.

The Corporation of the City of New York, in account current with C. W. Lawrence, Treasurer.

Dr.			Cr.		
To amount paid out on Corporation Warrants from July 31, 1841, to this day inclusive....	$1,074,958	81	By balance in the hands of the Treasurer on the 31st of July last, as per account rendered....	$ 315,192	57
To balance to new account	105,188	13	By amount received from all sources from that day to this, inclusive, as per weekly returns..	864,954	37
	$1,180,146	94		$1,180,146	94
			By balance from old account	$ 105,188	13

A true copy.
W. H. DIKEMAN.

City Treasury, October 30, 1841.
C. W. LAWRENCE, TREASURER.

The Commissioners of the Sinking Fund of the City of New York, in account current with C. W. Lawrence, Treasurer.

Dr.			Cr.		
To amount paid out on Commissioner's Warrants, from July 31, 1841, to this day inclusive	$ 296,070	00	By balance in the hands of the Treasurer on the 31st of July last, as per account rendered ...	$ 124,115	27
To balance to new account.....	50,421	51	By amount received from all sources from that day to this, inclusive, as per weekly returns..	222,376	24
	$ 346,491	51		$ 346,491	51
			By balance from old account	$ 50,421	51

A true copy.
W. H. DIKEMAN.

City Treasury, October 30, 1841.
C. W. LAWRENCE, TREASURER.

BANK OF THE STATE OF NEW YORK,
October 30th, 1841.

I hereby certify, that after the close of business this day, the balances hereafter named, were standing to the credit of the following accounts, viz: to the "City Treasurer," *one hundred and five thousand one hundred and eighty-eight dollars thirteen cents*, ($105,188 13.) To the "Commissioners of the Sinking Fund," *fifty thousand four hundred and twenty-one dollars fifty-one cents*, ($50,421 51,) and to "Interest on Fire Loan," belonging to the Commissioners of the Sinking Fund, *ten thousand five hundred and eighty four dollars sixty-nine cents*, ($10,584 69.)

R. WITHERS, *Cashier*.

November 1*st*, 1841.

A correct copy.

W. H. DIKEMAN.

DOCUMENT No. 51.

BOARD OF ALDERMEN,

JANUARY 10, 1842.

Report of the Joint Special Committee on the Communication from the New York and Albany Rail Road Company. Adopted and ordered to be printed.

SAMUEL J. WILLIS, CLERK.

The Joint Special Committee, to whom was referred the annexed communication to his Honor the Mayor, from the New York and Albany Rail Road Company, respectfully submit the following

REPORT:

When this subject was presented to the consideration of a former Common Council, by a Committee of Citizens from the counties on the line of the road, the Committee to whom it was referred, presented a report which was well calculated (with accompanying documents,) to awaken public attention to the great importance of the enterprize. The adop-

tion of that report, and the extensive circulation it received, it is believed, has to some extent effected the desired object: and though the progress of public sentiment has been too tardy for the emergency, recent indications clearly evince an awakening from that careless repose into which our community had been lulled, by a long career of uninterrupted prosperity; so that well grounded fears begin to be entertained, that a continued increase of our population and wealth, which past experience had led us to anticipate, may be speedily interrupted. The facts stated in the communication before us, are well calculated to confirm and strengthen these apprehensions, rendered the more fearful by the great accumulation of our city debt. The people of this city have never heretofore felt the necessity of uniting their energies for the accomplishment of any great local object; their intercourse with the whole country and with the world at large, has always engrossed their attention, and the great variety of material and diversity of interest, which compose our body politic, have always presented obstacles to a harcounter. But it may be reasonably anticipated, that when an monious union of action, which other communities do not enoccasion calls for it, and when all classes of the community can be made to feel its necessity, a concentration of energies can be effected. It would be a libel upon our citizens to charge them with a want of patriotism. Although they may be justly accused of an apparent and peculiar destitution of city attachment, they cannot be fairly charged with any deficiency of state pride; and their love of country may be truly said to predominate over all their other local attachments. This characteristic has led them to appreciate, in the furtherance of almost every work of improvement on the whole face of the country, with a freedom and liberality which attest both their wealth and their enterprize. Rail Roads are yet in their infancy, and their great capabilities have never half been realized by our citizens. Five years ago a prediction that flour would be transported from Albany

to Boston at fifty cents per barrel, would have been deemed an idle phantom, yet the dream of the visionary has been realized; and we now find an eastern city competing successfully with us for the commerce of that grand canal which we have been accustomed to regard as exclusively our own beyond the reach of a possible contingency. We cannot shut our eyes to the fact, that during four months of the year our enterprising rival neighbors enjoy these new advantages, while we are entirely excluded from them. A continuous line of rail road running parallel with the canal, and terminating at its two extremities, will enable our eastern competitors to carry to her favored port, the rich agricultural productions of the west, and to return in exchange for them, the produce of every clime, whilst we are waiting for the opening of spring to gather up the gleanings of that rich harvest-field of trade which formerly poured its treasures exclusively into our lap.

Such is our position, and such are the circumstances which call upon our community for united local action. The means by which we can recover our lost advantages are clearly within our reach. A rail road to Albany can be constructed for less than half the cost which Boston has incurred in the prosecution of her enterprize; and such is the favorable condition of the route surveyed by the company engaged in the undertaking, that the road, when completed, can be operated with less than half the expense, and travelled in half of the time, required by the Boston road. And such is the zeal and resources of the population who reside in its vicinity, and their intelligent estimate of its advantages to them, that they willingly give up their lands for the right of way, and offer to contribute largely to the means required for its construction; so that a subscription in this city of about one million of dollars, in addition to the present available resources of the company, will enable them to enter upon a vigorous prosecution of their work, with a sure prospect of its speedy completion, without embarrassment to the

company or loss to the subscribers. With such surprizing facilities as we shall thus acquire, of intercourse with the northern and western part of our State, and such advantages as our geographical position, our capital, and our commercial experience afford, we may safely look forward to an uninterrupted continuance of that course of successful enterprize which has justly distinguished our commercial metropolis as the great emporium of the West. In view of these facts and considerations the Committee offer for adoption the following resolutions:

Resolved, That while we congratulate our sister City of Boston upon the success of her great undertaking, and the auspicious prospect of future greatness which it holds up to her contemplation, we feel called upon to admonish our own citizens of the necessity of corresponding efforts to maintain our commercial supremacy.

Resolved, That the construction of a rail road to Albany and Troy will, in the opinion of this body, not only effectually prevent a diversion of our northern and western trade from its accustomed channel by the efforts of competititors, but also open to our city new avenues of profitable trade hitherto inaccessible.

Resolved, That we have heard, with much gratification, that the New York and Albany Rail Road Company are persevering in their efforts to accomplish their enterprize, and we do earnestly commend it to the patronage and support of our citizens.

Resolved, That this great and patriotic undertaking, depending for success wholly upon *private* enterprize, commends itself to the favorable regard of all whose business or property are identified with the welfare of our city by every consideration of private interest and of public duty.

Resolved, That the members of the Common Council hereby tender the aid of their individual exertions in furtherance of the objects contemplated in the above resolutions.

All of which is respectfully submitted.

MOSES G. LEONARD,
ELIJAH H. KIMBALL,
F. R. LEE,
JOHN M. SEAMAN,
WILLIAM D. MURPHY.

DOCUMENT No. 52.

BOARD OF ALDERMEN,

JANUARY 10, 1842.

Report of the Committee on the Croton Aqueduct, in accordance with the Ordinance providing for the Accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Croton Aqueduct Committee respectfully

REPORT:

That they have, during the past month, audited the following bills, viz:

1841.			
Dec. 23.	Workmen's wages	$ 1,083	77
"	Cartage of pipe	467	38
"	James Robertson, stopcocks	1,169	00
	Amount carried over	$2,720	15

	Amount brought over	$2,720 15
1841.		
Dec. 23.	T. & G. Rowe, castings	686 27
"	Hockman & Martin, wedges	409 98
"	Thomas D. Howe, mason work	64 19
"	J. C. Robertson, pipe bands	67 50
"	H. V. B. Barker, excavation	725 52
"	William Plumb, sundries	11 00
"	Stillman & Co. pipes	2,517 59
"	Winterton & Myers, pipes	3,681 07
"	West Point Foundry, pipes	4,768 15
"	Ellicot & Brothers	225 08
"	John Paulding, expenses to Croton ..	3 75
"	James Murphy, stage hire	15 00
		$15,895 25
"	Ellicot & Brothers, pipe, payable in stock	$10,948 34

They also at the same time audited bills presented by the Water Commissioners for work done above Forty-second street, amounting to $4,167 50.

1842.		
Jan. 6.	Workmen's wages	$ 620 95
"	Cartage of pipes	353 38
"	H. V. B. Barker, excavating	281 19
"	P. M'Cafferty, excavating	1,529 26
"	William Maxwell, yarn	275 53
"	R. B. Dyckman, yarn	198 25
"	T. & G. Rowe, castings	447 72
"	F. R. Lee, tools	63 03
"	Manhattan Company, repairing logs ...	19 48
	Amount carried forward	$3,794 79

	Amount brought forward	$3,794 79
1842.		
Jan. 6.	J. C. Robertson, iron bands	53 13
"	Gardner & Wells, lumber	19 92
"	James Coffin, rope	67 52
"	William Plumb, sundries	62 76
"	John J. Moffatt, stopcock boxes	165 09
"	D. C. Wood, pipe	1,765 69
"	Stillman & Co. pipe	2,603 77
"	Joseph W. Brick, pipe	5,116 38
"	Merrick & Town, pipe	5,946 71
		$19,545 67

They at the same time audited the bills from the Water Commissioners for work done above Forty-second street, and for the salaries of said Commissioners, &c. amounting to $4,776 96.

MOSES G. LEONARD,
F. R. LEE,
RICHARD S. WILLIAMS.

DOCUMENT No. 53.

BOARD OF ALDERMEN,

JANUARY 10, 1842.

Report of the Committee on Public Offices and Repairs, in accordance with the Ordinance providing for the accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on Public Offices and Repairs, would respectfully

REPORT:

That within the past month they have audited and directed to be paid, the following bills:

Dec. 23, 1841.	Workmen's wages.....	$468 82
"	Thomas T. Woodruff.....	67 00
"	Engine Company No. 36 painting	75 00
	Amount carried forward	$610 82

	Amount brought forward.....	$610 82
Dec. 23, 1841.	A. M'Clelland	36 19
"	Peter Lutz.....	17 12
"	W. J. Champion.....	10 37
"	Charles Pitt.....	7 25
"	Cornelius Nostrand	1 87
"	Susan Cogswell	1 88
		$685 50

Of which amount, one hundred and ninety-eight dollars and thirteen cents was for the use of the Fire Department, and four hundred and eighty-seven dollars and thirty-seven cents for Repairs and Supplies.

1842.

Jan. 6,	Workmen's wages	$ 763 48
"	John H. Bowie, for leather.....	627 72
"	John Wright, for rivets, &c	432 27
"	Cornelius Reed, for lumber	377 93
"	Thomas D. Howe, for mason work.....	392 77
"	T. S. Timpson, for hardware.....	170 26
"	Henry Worrall & Co., for castings.....	21 68
"	Robert Pettigrew, for cleaning wells	83 19
"	R. Whittingham, for brass work	117 00
"	Cooper & Dunn, for painting hose cart ..	39 50
"	Green & Armstrong	27 50
"	Stephen C. Cornell	26 56
"	Matthew O'Connor	22 12
"	H. M. Britton, for chairs.....	72 00
"	John Barry, for carpenter work.....	15 63
"	Elias L. Smith, for hardware.....	10 90
"	M. Burton.....	8 37
"	Hiram G. Smith, for chairs	8 00
"	Peter Morris, for paving	2 12
	Amount carried forward	$2,219 00

	Amount brought forward	$2,219 00
1842.		
Jan 6.	E. M. Hoffman, for blinds	226 11
"	Elias Mills, for wood.....	37 50
		$3,482 61

Of which, two thousand one hundred and forty-one dollars six cents was used for Repairs and Supplies, and one thousand three hundred and forty-one dollars fifty-five cents was used for the Fire Department.

Respectfully submitted.

FREDERICK R. LEE,
C. B. TIMPSON,
C. BALIS.

DOCUMENT No. 54.

BOARD OF ALDERMEN,

JANUARY 10, 1842.

Report of the Finance Committee, in favor of granting a portion of common land to the Association for the Benefit of Colored Orphans. Laid on the table.

SAMUEL J. WILLIS, CLERK.

The Finance Committee, to whom was referred, from the files, the annexed papers in relation to the application of the "Association for the Benefit of Colored Orphans," for a grant of land, respectfully

REPORT:

That the several papers consist of a memorial from said association, a report thereon from the Committee on Arts and Sciences and Schools of the Board of Assistant Aldermen, to whom the memorial had been referred, and reports thereon from the majority and minority of a similar Committee of the Board of Aldermen. These papers have refe-

rence to a proposition for the Corporation to grant to the "Association for the Benefit of Colored Orphans," a portion of the common lands bounded by Forty-third and Forty-fourth streets, the westerly side of the Fifth avenue, and a line two hundred and fifty feet westerly therefrom, containing twenty lots of land. Your Committee have carefully examined the several papers, and have given to them, and the subject to which they relate, a proper degree of consideration. As the papers are very elaborate in regard to the facts and suggestions appertaining to the subject, the Committee deem it sufficient to recapitulate, briefly, the principal points, and to express their opinion thereon, referring the Board to those papers for more full and detailed information.

The association is composed of highly respectable and intelligent females; and, from an examination of their memorial, it appears that the association was organized during the Winter of 1836, and in 1838 was incorporated by an Act of the Legislature. Its objects are, the protection and education of destitute colored orphans, until they shall arrive at a sufficient age to be bound out to some useful occupation. The memorialists state, that their association is not characterized by sectarianism, and is entirely free from, and independent of, the exciting questions which have, more or less, disturbed the public mind in relation to the colored race; that their sympathies were enlisted in favor of this destitute class, because no provision had been made for them by any of the several institutions of a similar character. They also state, that eighty-nine children have been taken into their asylum during the four years of its existence, several of whom were taken from the Alms House, and that there now remain in the asylum forty-nine; and that they have invested the sum of thirteen thousand two hundred dollars for the purpose of erecting a suitable building whenever the land can be procured. The report of the Committee of the Board of Assistant Aldermen, and that of the majority of the Committee of the Board of Aldermen, are favorable to the application of

the memorialists, from various charitable considerations. The minority report, in the Board of Aldermen, is strongly in opposition to the application, on the ground that the public property, proposed to be conveyed to this association, "belongs to the whole community, and can only be disposed of for the common benefit of the whole;" and of impropriety, in "granting the Corporation property in aid of special charitable, or partial benevolent projects, devised and got up by individuals, for peculiar purposes; or to assist distinct and separate classes, to the exclusion of others, not coming within the distinction made by the several societies." And it contends, that the Common Council cannot, legitimately, exercise power in voting these grants; and that they might as well "aid, with the public funds, some favorite and pleasing scheme of rail road intercommunication; or any other project, of individuals or companies, got up under the plea of public good." While your Committee concur in the general premises contained in this report, that the public property belongs to the whole community, and should only be disposed of for the common benefit, they are unable, in the consideration of this question, to apply it to the abstractions which follow the premises, or coincide with the deductions that have been drawn from them. They do not consider it essential to confine themselves to such narrow views and excessively nice reasoning, to come to a proper understanding of this subject; but believe it may be satisfactorily disposed of by the exercise of plain common sense. The proposition under consideration involves but simple questions. It appears to your Committee only necessary to inquire, whether the proposed donation of land is for the benefit of objects of public charity? and if so, whether the claims of this association are such as to warrant the Corporation in making it?

In regard to the first inquiry, there can scarcely be a difference of opinion. The association is for the protection and support of destitute colored orphans, for whom no provision had been made by any previous charitable institution. Some

of these children, the memorialists inform, have been taken from the Alms House, and many of them from the abodes of want, wretchedness, and vice, and they express their conviction, that a large portion of those who have entered their asylum, and who may hereafter enter it "would otherwise, either as paupers or criminals, become chargeable to the city." It is evident, therefore, that this association is a charity in the strict sense of the term, as it admits all of a class of the community that the Corporation, in some shape, are bound to take care of. In regard to the power of the Corporation in making such donations, it is probably plain that if they have the right to dispense to the helpless and the destitute at all, by the establishment of an alms house and lunatic asylum, they have a perfect right to dispense it in any other way that they may deem most conducive to these objects, and especially if with diminished expense to the city. The association have received in donations from the benevolent thirty thousand dollars, besides a considerable amount of clothing and provisions, and they have invested the sum of thirteen thousand two hundred dollars, for the erection of a building whenever the land shall be procured. Eighty-nine children have been received into the asylum during the four years of its existence, several of whom were taken from the Alms House, and there now remains in the asylum forty-nine. Is it not reasonable, under these circumstances, and a legitimate exercise of discretion on the part of the Corporation, in aiding the benevolent efforts of this association, by making to them a donation of a small piece of unproductive public land on which to erect their asylum? is it not for the benefit of the whole community to make such donation, rather than that these neglected children should be supported in our Alms House, or perhaps at a later period in our prisons? There is no analogy between a donation for such a purpose and one for some pleasing scheme of rail road inter-communication. Your Committee have not perceived any force in the objection urged against donations to charitable institu-

tions because they may not all partake of the public bounty in exact proportion, or because they are special in their character and for the benefit of certain classes: they necessarily must be so; it is only essential for us, in dispensing these charities, to be satisfied that they embrace proper objects of charity, and such as the public would otherwise be compelled to provide for. If a benevolent society should be organized avowedly to take care of all the destitute poor upon similar terms, whereby the city would be relieved from the necessity of maintaining an alms house establishment at an annual expense of two hundred and seventy-five thousand dollars, although it might be designated a special benevolent association exclusively for the benefit of certain classes, and got up by individuals in furtherance of their peculiar benevolent purposes, the Common Council would hardly feel, in withholding from them a donation of unproductive public land, upon which they might erect the necessary buildings, and a question would hardly be raised that it would not be for the benefit of the whole community to do so.

Your Committee subjoin to their report the following resolution:

Resolved, That all that certain piece or parcel of land bounded northerly by Forty-fourth street, southerly by Forty-third street, easterly by the Fifth avenue, and extending westerly two hundred and fifty feet from the Fifth avenue, be granted to the "Association for the Benefit of Colored Orphans in the City of New York," subject to any lien now existing thereon, under any pledge heretofore made of the same as part of the property of the City of New York, for the redemption of any portion of the public stocks or debt of the said city, upon condition that the said association shall erect thereon, within three years from the passage of this resolution, a building or buildings, the plan whereof shall be approved by the Mayor of the City of New York, and shall and will, at all times, if required by the Commissioners of

the Alms House or Common Council, maintain, clothe, and keep *twelve* colored pauper children, without any charge to said city, and upon the further condition that they shall not sell, dispose of, or encumber the same, but shall forever keep the same for the purposes contemplated by the charter of the said association, and in case of a violation of either of these conditions, the Corporation may re-enter and re-possess themselves of the said property, as in their former right; and that the Counsel of the Corporation be instructed to prepare and have duly executed, such deed of the said property.

Respectfully submitted.

JAMES POLLOCK,
EGBERT BENSON,
MOSES G. LEONARD.

SEMI-ANNUAL REPORT

OF THE

WATER COMMISSIONERS,

FROM

July 1, *to Dec.* 31, 1841, *inclusive.*

DOCUMENT No. 55.

NEW YORK:

BRYANT AND BOGGS, PRINTERS.

DOCUMENT No. 55.

BOARD OF ALDERMEN,

JANUARY 17, 1842.

The Water Commissioners presented their Semi-Annual Report in relation to the Croton Aqueduct, which was laid on the table and directed to be printed for the use of the members.

SAMUEL J. WILLIS, CLERK.

WATER COMMISSIONERS' OFFICE,
JANUARY 14, 1842.

To the Honorable the Common Council of the City of New York:

In obedience to the Act of the Legislature of the State, the undersigned present this, the third Semi-Annual Report, which has emanated from the Board of Water Commissioners since the undersigned have had charge of the Croton Aqueduct.

The undersigned have continued, from time to time, since their last report, to deposite with the Comptroller of the City, the vouchers for the payment of money, the deeds for

lands taken, and all releases and compromises of damage, for obstruction of highways, and extinguishment of water rights on the Croton River, rendered necessary by the proposed diversion of the water to the city.

They have also made up a general account current, for the Comptroller, commencing from the first day of January (the date of the last general account) and continuing until the thirty-first day of December last; which account we pray may be examined by the Finance Committee, in conformity to the laws of the State.

Expenditures made by the Water Commissioners, under the Act to supply the City of New York with pure and wholesome water, from the commencement, to January, 1842.

From July, 1835, to Jan. 1836			$ 31,828 02
" Jan. 1836, to July, "	$ 12,070 84		
" July, " to Jan. 1837	28,099 58		
			40,170 42
" Jan. 1837, to July, "	$ 62,602 85		
" July, " to Jan. 1838	233,856 93		
			296,459 78
" Jan. 1838, to July, "	605,766 76		
" July, " to Jan. 1839	984,445 70		
			1,590,212 46
" Jan. 1839, to July, "	$ 715,362 01		
" July, " to Jan. 1840	1,243,827 13		
			1,959,189 14
" Jan. 1840, to July, "	$1,043,108 31		
" July, " to Jan. 1841,	1,030,651 46		
			2,073,759 77
" Jan. 1841, to July, "	421,540 13		
" July, " to Jan. 1842,	697,303 31		
			1,118,843 44
			$7,110,463 03
Less the amount hereinafter referred to			3,000 00
Amount carried forward			$7,107,463 03

Amount brought forward	$7,107,463	03
To this sum add a warrant in the hands of the Commissioners, payable to Abigail Faure	176	00
	$7,107,639	03
Amount appearing to the credit of the Mayor, Aldermen and Commonalty, &c., on the books of accounts in the Water Commissioners' office, on the 31st of December, 1841, deducting the sum of $3,000, and the discrepancy of $2 51, mentioned in previous report	$7,107,235	19
Leaving a balance of ..... due the Water Commissioners.	$ 403	84

Expenditure for 1841 is $1,118,843 44, which may be arranged as follows:

First.—Constructing the aqueduct, bridges, rebuilding and extension of the Croton Dam, &c.	$770,167	32
Second.—Iron pipes	239,400	00
Third.—Extinguishment of water rights on Croton River	7,728	25
Fourth.—Repairs on the line of aqueduct ..	11,499	55
Fifth.—Real estate in fee	1,400	00
Sixth.—Earth for embankments, and damages occasioned by the construction of the aqueduct, &c.	2,230	42
Seventh.—Salaries of the Commissioners and Clerk	6,750	00
Eighth.—Legal expenses	1,671	81
Amount carried over	$1,040,847	35

Amount brought over		$1,040,847 35
Ninth.—Salaries of Engineers and Inspectors, incidental expenses, &c. &c.	$32,313 30	
And laying the large pipes between the reservoirs	45,682 79	
		77,996 09
		$1,118,843 44

The whole amount disbursed from the commencement may be arranged as follows:

First.—Croton Aqueduct, reservoirs, bridges, Croton Dam, &c. &c.		$5,990,153 29
Second.—Iron pipes		422,385 83
Third.—Croton Water Rights		13,102 25
Fourth.—Repairs on aqueduct		11,499 55
Fifth.—Real estate		349,932 05
Sixth.—Salaries of Commissioners and Clerk		43,373 85
Seventh.—Legal expenses		15,783 60
Eighth.—Laying the large pipes	$64,617 24	
Salaries and incidental expenses of the Engineer Department	191,464 26	
Incidental expense account ..	5,151 11	
		261,232 61
Total expenditures		$7,107,463 03

This amount will be increased by the following sums, still necessary for the completion of the work under the charge of this Board:

The estimated cost, yet to be incurred on the Croton Dam and Croton River Lake; and the cost on the sections not yet completed,	

between Murray's Hill and the Harlaem River, including the iron pipes within said limits, and the completion of the two reservoirs	$	572,885 00
Expense of completing the temporary connexions of the aqueduct in Westchester, at the Harlaem River, with the aqueduct on this island; including putting down the pipes across the river, and raising the water piers of the bridge to high water mark, with incidental work		116,558 00
Cost of completing the Harlaem River Bridge to its contemplated height, from the position of the work, where the expense necessary for the temporary crossing of the river stops, with the stone piers only carried up to high water mark		596,779 00
Land, yet to be taken, extinguishment of water rights, &c. &c. estimated at		50,000 00
Unpaid estimates for work done by contractors in October, November and December; and unpaid bills of repairs, pay rolls, &c. ..		192,672 55
		$1,528,894 55
Cost, as before stated		7,107,463 03
Grand total of outlay and estimated cost to finish, not, however, including pipes below Murray's Hill, nor interest		$8,636,357 58

The preliminary estimate of the work in 1835, (which was, however, of a different character, and of smaller dimensions) amounted to $5,412,336 72. Shortly after getting under way, in 1837, the present Chief Engineer estimated the cost at $8,320,898, exclusive of the expense of the Engineer Department, (before he came into office,) water rights, and land required; and this estimate of the present Engi-

neer is still above the expenditure, and his present estimate to finish the work, about $265,000.

The Chief Engineer estimates the wants of the Board in his department, for the year 1842, at $900,000. This is exclusive of lands yet required, and extinguishment of water rights on the Croton, which may be estimated at $50,000 more—in all $950,000. A considerable part of this amount is required for the settlement and liquidation, during the Winter and ensuing Summer, of several of the heavy contracts, and the final payments to be made on the same.

The payments of 1841 have not been as great as estimated by $641,189. This grew out of the circumstance of several contracts not having been entirely completed, by reason of which the payments, on final settlement, have not been made.

PRESENT STATE OF THE WORK.

The first division is the part of the work which embraces the Croton River Dam, the artificial lake made by damming the river, and the $10\frac{117}{1000}$ miles of aqueduct, commencing at the gate house at the Croton.

Of this division, the aqueduct part is finished, and was nearly so on the 1st of January, 1841. The only part of this division remaining unfinished is the dam. After the carrying away of the earthern embankment, comprising a major part of the dam, the undersigned concurred with the Engineers in the advantage of constructing the new dam on an entirely different plan from the one previously constructed; and instead of the extended earthen embankment, a continuous stone dam, laid in hydraulic cement, was decided on; to be constructed entirely across the river, so that the overfall, or apron of the dam, will be of the same extent as the natural breadth of the river. The length of the new part of the dam (the mason work of the old dam not having been carried away) is 180 feet; so that with the mason work of the first

erected dam, which still remains, it will make a dam of an overfall of 260 feet. The dam, when completed, will be about 50 feet high, having a base of masonry 65 feet wide; and banked in, on the up-stream side, with an embankment 250 feet wide at base. The profile of the face of the dam corresponds with the curved form which the water will assume in pouring over it, and is coped with cut stone, in the most substantial manner.

At the toe of the dam, a heavy apron of crib work, 8 to 12 feet deep, and 53 feet wide, filled in with stone and planked, gives great security to that part of the work. With the view of keeping 4 feet of water on the apron at the toe of the dam, and thereby breaking the force of the fall, by its action on a body of water, there has been constructed, at a point 300 feet below the main dam, a secondary dam, of timber and stone, which is 200 feet long and 9 feet high. The abutments of this secondary dam, with two piers of crib work, filled in with stone, have been used for the purpose of a bridge across the river, and will remain a bridge to accommodate the public, and for the use of the keeper of the gate house.

The construction of the new dam was vigorously commenced by Messrs. McCullough, Black & Co., early in the Spring, under contract, to raise the same so high by the 1st of November following, as to throw at least two feet of water into the tunnel of the aqueduct.

This requirement of their contract they have not fulfilled; which is to be regretted, mainly on the ground that the work could not be left in as secure a condition, against the Spring floods, as it would have been left had this condition of the contract been complied with. The contractors urged in excuse, the great difficulty in procuring sufficient quantities of large stone, and of a suitable quality, and the consequent failure, by their sub-contractors, in the delivery of such stone; which difficulty was enhanced by the rejection of every stone not deemed of the most durable quality.

The work, on the whole, has been prosecuted, with the

exception referred to, with commendable perseverance and energy, and the dam can be made to throw into the aqueduct the water required, early in the ensuing Summer, and can be conveniently completed during the summer months.

It is presumed that the mason work of the dam, will derive additional strength from the extension of the time of its construction.

The remaining part of the Aqueduct proper, in Westchester, being the second, third and part of the fourth divisions, is completed to the contemplated gate house at the Harlaem River.

HARLAEM AQUEDUCT BRIDGE.

This work has been progressing, not as fast as was expected by the Commissioners or the Engineers. To some extent the embarrassment has arisen by not finding a rock foundation in the bed of the river for pier No. 10; and after removing the mud and boulders in the river to the depth of thirty-five feet below the surface of the water, without finding rock, it was determined to place this pier on piles, and this work is now in progress. Although disappointed in not finding a stone foundation, we find the earth in the bed of the river of a compact character, and well suited to give security to the pier, by piling.

The foundations for piers Nos. 7, 8 and 9 are, all of them, with their mason work, carried up above high water. Piers Nos. 3 and 4 have, also, been piled for masonry; and on piers Nos. 5 and 6, the masonry has been raised to eleven feet in height.

We have supposed that the details of expenditure for Harlaem Bridge, would be interesting to your Honorable Bodies, and have therefore to state, that the amount paid, from the beginning, and due to the 1st of January inst., is $210,000. The continuation of the work, sinking the remaining piers and driving the piles, mainly necessary for the proposed temporary bringing of the water across the river, and the expense of laying the pipes for that purpose, will amount to $116,558.

The estimated cost of carrying the bridge up to its contemplated height, from the point or position in which it will be, on the 1st of July next, will amount to $596,779.

After the water is introduced, by these temporary means, there will be no pressing necessity for the high bridge being erected faster than is convenient for the resources of the Corporation and the economy of its construction, provided no objection should be urged against a reasonable interruption of the river navigation, by the persons interested therein, the value of which navigation is, at present, too small to be estimated.

Entertaining this view of this important subject, the Board of Water Commissioners have determined, and so instructed the contractors, that without further instructions from them, the Board of Commissioners, they, the contractors, are to do no work on the bridge, excepting such parts as may be necessary and directed by our Engineers, to carry the water, on the temporary plan, across the river, and the erection of the piers of the bridge up to high water mark; and to accomplish this, will keep them busily employed until the 1st of January next. In giving these instructions, we considered we should best meet the views of our fellow citizens and the Common Council. If we are mistaken in the wishes of the Common Council, we shall be glad to be informed of the same. Under this arrangement of the work, the whole amount required by this department to bring the water to Murray's Hill, will not differ materially from $650,000, which includes the settling up the demands for work already done on the several contracts not yet completed.

CLENDINING VALLEY.

The Common Council will recollect that we informed them, through their Committee, in July, 1840, that we proposed dispensing with the arched bridges contemplated to be made by the original plan, over 96th, 97th and 101st streets. The two Boards, by resolution, in 1840, approved the con-

templated change. His Honor the late Mayor, fearing enormous damages would be exacted by the contractors, doubted the expediency of the measure, and deemed it his duty to veto the resolution of the two Boards. Neither of the Boards of the Common Council took into consideration the veto message of the late Mayor, that we are aware of, and as the responsibility of the work and its mode of construction was legally with this Board, we deemed it our duty to dispense with the bridges in question, and the work at the Clendining Valley is now completed without them.

The saving, by this alteration, has been $52,000, and a more substantial and durable work, made to supply the place of arches. We have, also, arranged with the contractors, to settle all their claims for this departure from the original plan, and for the material which they had provided for the arches, for the sum of $4,500.

The excavation of about 50,000 cubic yards of rock has been dispensed with, in the receiving reservoir, of which about 45,000 lie in the northern division. This constitutes a saving of 50,000. One dollar per cubic yard being the price for excavating.

The unfinished work on this island, is on sections Nos. 88, 89, 90, 91, 94, 96, including the receiving reservoir, 97, 98, and the distributing reservoir; all of which can be completed early in the ensuing season, a detailed account of the condition of which, is to be found in the appended report of the Chief Engineer, to which we refer your Honorable Bodies.

ENGINEER DEPARTMENT.

Under the direction of the Board, the Chief Engineer has reduced the corps to one Chief, one principal Assistant, and two Resident Engineers, with the Assistants and Inspectors mentioned in his report. So much of the work is yet unclosed, and so many extensive calculations to be completed, and accounts written up, and withal, such is the nature of

the contracts, being only for the supply of materials and labor, all to be put and applied, in the presence of and under the direction of the Engineers or Inspectors, that a larger number of Engineers is required, than if the work was conducted on the judgment and under the direction solely of the contractors or their agents; but if a brick or stone of inferior quality goes into the work, it is the fault of an Assistant Engineer or Inspector; and the Board are of opinion that there has been great fidelity, on the part of the Engineers, in the performance of their duty, rendering the work certainly equal in durability and workmanship, if not superior, to any similar work of modern times in the world.

By the absence of Samuel R. Childs, in Europe, the number of Acting Commissioners is reduced to four, and there is a consequent reduction in the expenses of this office.

STATEMENT OF LITIGATED CLAIMS.

The balance due under the contracts for sections 38 and 39, to O. & E. Davidson, amounting to $9,787 03, is yet unpaid; the contractors claiming a larger amount and refusing to receive their warrants. Their demand is in suit.

The balance due to James Appleton, under his contract for section 29, amounting to $8,096 83 is still unpaid. The contractor has prosecuted this Board in the Supreme Court, claiming an amount (as we contend) beyond his due. A demurrer has been argued, but not yet decided.

A petition of this Board to become possessed of lands of William Beach Lawrence, for the use of the aqueduct, was made to the Court of Chancery. Appraisers were appointed who made an award. Mr. Lawrence refused to accept the award, and has appealed from the decision of the appraisers.

A petition to become possessed of lands of Cornelia Beekman has also been made. The order appointing appraisers has been obtained.

No further proceedings have yet been had.

Mrs. Beekman has instituted in the Justices' Court, in the town of Mount Pleasant, a suit against the Resident Engineer, for trespass.

Suits, to become possessed of lands and water rights on Croton River, belonging to the following named persons, have also been commenced in the Court of Chancery:

Pierre Van Cortlandt, Mrs. Beekman, John Tompkins, Solomon Tompkins, Abigail Faure, Robert Tompkins, Elias Purdy, heirs of Pierre Van Cortlandt, and the Messrs. Baileys.

The claims of the Messrs. Baileys, wire manufacturers, for damages by the floods of the river, in January last, are still unsettled.

The suit of Rebecca Dyckman and others, and also the suit of R. Dyckman and others, being questions connected with the original taking of the land for the aqueduct by our predecessors, are still pending; questions of appeal or exceptions having been taken up to the Supreme Court.

The present Board have extinguished, by compromise, the water rights on the Croton River, of fifteen different owners embracing all pretensions to damages, for the sum of $13,102 25, and are also in negotiation for compromising and settling several others.

The Board have to reiterate their increased conviction of the abundance and the purity of the Croton Water supply, the aptness and ability of the aqueduct to perform its duty, the strength and durability of its structures, and the ample returns which will be realized from the same at some future period; provided always, that the management of the work, and the collection and enforcement of the payment of the rates for water, be placed in the hands of some independent executive Board, who will be likely to be more permanent in office, and rigorous in the execution of their duties, than can be expected in the yearly elected magistrates of the people.

The necessity of this vast work, on its completion, being placed under the charge of individuals devoting their exclusive and entire time to it, will be obvious to your Honorable Bodies. The very large amount of interest to be annually provided for, and, as it is to be hoped, soon mainly to be realized out of the profits of this undertaking, will require business talent and untiring industry, by the persons having charge of the same; or, we apprehend, the citizens of New York will have to provide, *by tax*, for a large portion of the interest accruing upon the heavy cost of this work. If this interest is paid by tax, its burden will appear heavy, when compared with the amount of taxes paid by residents of other cities, which would injuriously affect the future growth of this city; whereas, if our citizens who use the water, owners of steam engines and steam boats of every description, manufactories, ship owners, and perhaps insurance companies, were all made to pay the real worth, to them, of the water, an amount would soon be realized far exceeding the most sanguine expectations of the friends and promoters of this undertaking; and certainly surprising to those who look upon this expenditure as a mortgage on the city, without an equivalent, or reasonable return for the outlay.

In conclusion, we have to reiterate our opinion, that the water, with reasonable punctuality in payments to contractors, may be discharged into the distributing reservoir at Murray's Hill, by the ensuing 4th of July; a time which, however, we fear will be altogether too soon for our citizens generally to derive advantage from the completion of the work, growing out of the vast amount of work yet to be done by them, in connecting the service pipes of their dwellings with the distributing pipes in the streets.

All which is respectfully submitted.

SAMUEL STEVENS,
Z. RING,
JOHN D. WARD,
B. BIRDSALL.

REPORT

ON THE

GENERAL STATE OF THE WORK

ON THE

CROTON AQUEDUCT.

NEW YORK, 31st DECEMBER, 1841.

To the Honorable the Board of Water Commissioners of the City of New York:

GENTLEMEN:—

At the time my report of the 30th June last was made, all the sections between the head of the aqueduct at the Croton Dam and section 86, (which crosses Harlaem River,) except section 33, (which includes the heavy embankment over Mill River Valley,) were completed, and since that time this section has been completed. The entire line of aqueduct, from the gate house at the Croton Dam to the gate chamber on the north side of Harlaem River Valley, is now completed.

The repairs and incidental improvements on the sections previously completed, which were particularly noticed in said report, have been steadily carried forward as then proposed. The outside work, in clearing drains, and raising guard banks, to more effectively direct the land floods through the culverts and sluices; the protection of those parts of the embankments that were not walled, by, in some cases, raising the walls, in others, by turfing, and by covering them with loose stone, have been completed, so far as deemed necessary at this time:—something more will probably be re-

quired next season. The rock that indicated decomposition in the two first tunnels above Sing Sing, in one case has been secured by an arch of brick masonry; and the same course is now in progress to secure the other, and will be completed in a short time. The most important of those cases where settlement had occurred in the aqueduct over foundation walls, have been repaired; and small parties are still employed on those of less moment. The whole could have been completed by this time; but it is found more economical to perform this work by small parties; and there being no particular object to be gained by a more rapid prosecution, this course has been adopted. In company with one of your Board, Mr. Birdsall and the Principal Assistant and Resident Engineers, I examined about twenty-five miles of the interior of the aqueduct last week, with particular reference to the repairs above mentioned. The appearance of the work strongly indicated that those parts had come to a permanent rest; there being nothing discovered to show any material change for several months, and in some cases more than one year. It is, however, possible that some further settlement may take place, and more require to be done to secure the work in a few places. But as this settlement has now had from one to two years to reach a permanent rest; and as it has rarely exceeded three or four inches, producing checks or cracks in the wall, that, with few exceptions, range within one-eighth of an inch, it is confidently believed the work done will prove sufficient for its permanent safety. The general appearance of the interior of the aqueduct is highly satisfactory; and considering the great variety of soil, and the very undulating character of the surface that has been met in providing foundations for a continuous line of thirty-three miles of hydraulic masonry, of very unequal and abrupt changes in elevation, the range and extent of unequal settlement must be regarded as very small, and not of a character to produce any serious apprehension that heavy repairs will be required.

The Croton Reservoir, including the rebuilding of Pine's Bridge, and repairing the roads and turnpike around the reservoir, which were damaged by the flood last January, are nearly completed.

The work on the contract for extending the Croton Dam had been much retarded up to the date of my report of 30th June last, as therein stated. From that time to the latter part of November, the state of the river was generally very favorable for the progress of this work. The importance of advancing the same to a state that would admit of its being most effectively secured, to sustain its exposure from the Winter and Spring floods, and enable us to throw a column of two feet depth of water in the aqueduct, as provided for in the contract, required close attention in the direction of the work, and great energy in its prosecution on the part of the contractors. The work of completing the coffer dams, carrying forward the foundations, and the rough masonry in the body of the dam, was prosecuted with commendable spirit and energy by the contractors. It was, however, a source of great regret to find, when their work was so far advanced as to be ready to receive them, their preparation of cut stone, required to cope the face of the dam, was far behind what it should have been. The advanced period in the season, and the difficulty of rapidly executing work of this kind, left hardly any hope that the work would be carried up to the height required by the contract. I cannot offer any apology for this want of foresight on the part of the contractors. The amount of work required was early, and distinctly, pointed out, and earnestly enforced on their attention. It is, however, proper to remark, that they have subsequently made vigorous efforts to remedy this deficiency in their early operations, by resorting to different quarries, and paying extra prices for stone; but they were not able to obtain their coping in time to lay up the work to the height required by their contract to have been laid on the first of November last.

On the first of September the work embraced in the principal coffer dam was brought up to low water level, and the large engine pumps no longer required. On the 15th of the same month the timber piece was carried across the main channel of the river, and the water passed through the culvert in the old abutment. The masonry in this part was carried forward vigorously until the first of October, when it was suspended one week, in consequence of a flood in the river, which passed over this masonry in its unfinished state, and did it considerable damage, by washing out the cement which had not had time to become sufficiently hard to resist the fall of 12 to 14 feet of water in passing over it. Very few stone were moved from their places by the water, but the mortar was so much carried out as to require a portion of them to be taken up and relaid. The masonry of the northern section had been carried up so high that the water of this flood did not pass over it. Considering the green state of the masonry, unprotected by coping, the damage by this flood was less than might have been anticipated. After this flood had subsided the water was again passed through the culvert and the mason work resumed, and no interruption occurred from the water of the river until the season became too cold for laying masonry in cement. Two sluices, each 20 feet wide and 4 feet deep, were placed near the north end of the dam, for the purpose of carrying off the water of the river, if it rose too high to be discharged by the culvert. The water did not rise beyond the capacity of the culvert until the 23d of November, since which time there has not been over four days that the whole water could be discharged through the culvert.

By the contract the masonry should have been carried up to a level of 29 feet above low water mark of the river, on the first of November; but it has been raised only 22½ feet, and this has been covered by the cut stone coping only fifteen feet high. To protect the masonry from its exposure to water passing over it during the Winter, the top and lower

face has been covered by an apron of timber and plank, except where it is occupied by the sluices before mentioned. The embankment was carried in, above the masonry, as the work progressed, and is finished to the height of masonry, except in front of the culvert, which required to be left, to permit the water of the river to pass the lower opening of the same. It was the intention to have filled up this part as soon as the work would allow the culvert to be closed; but the rise in the river, which occurred just as we were ready to commence this, prevented our doing it; and all our attempts, since that time, have been baffled by repeated floods in the river. Though not indispensable, it is regarded as desirable to have the lower opening of the culvert closed, and the embankment in front of it completed as soon as the state of the river will permit. With this view, the earliest opportunity will be embraced to accomplish the object.

The apron of the dam has been put down with great care and expense, and it is believed to be a substantial and well secured structure. It was completed on the 19th of November.

The secondary dam, which is placed 300 feet below the main dam, has been raised to the height of seven feet, and is composed of round timber, brush, stone, and gravel, with the exception of about 20 feet, left for the passage of the river, and which could not be closed until the work on the apron of the main dam was completed. The work of closing the gap was commenced as soon as the work would permit the water to flow on said apron; but the rise in the river only allowed one day at this work, during which it was carried up about 3 feet, and at this height it still remains, the state of the river having at no subsequent time, permitted its further advancement. The abutments of stone masonry on each end of this dam, and the gateway and gates, are essentially completed. The piers for the bridge on this dam are up, and the bridge nearly completed.

The safety of this work during its exposure to Winter and

Spring floods in its unfinished condition, being much short of that security which its completion is designed to give it, has been, and must continue to be, a subject of much anxiety. We have had three floods over it, since it was put in its present condition, during which the water passed the ridge, over which it descends to the apron, at from 3 to 4 feet deep. The last was regarded as a heavy flood: though much short of the great flood of January last, it was greater than any subsequent to that. These floods have passed off without any injury to the main work. The unfinished gap in the secondary dam gave some solicitude for the influence of those floods on its stability; but so far as has been discovered, no injury has been sustained. On the whole, the effect of the floods thus far, has been to encourage the belief, that the work will pass the Winter without any material damage.

The natural rock, left for a portion of the waste-weir of the old dam, was so much torn up by the flood of last January, that it is deemed expedient to reduce the rock surface to the same plane, and cope it in the same manner as was done for the artificial part. The rock may be taken off during the present Winter, and the coping put on, with a suitable abutment on the hill side, next Summer.

Though we have not reached the point of advancement in this work, that was contemplated by the contract when made, the most difficult part has been accomplished. The foundation and the apron are completed; and the masonry, the secondary dam, and bridge, are well advanced. Considering the amount of work done in the narrow limits within which it was confined, exposed to the uncertain action of a stream, proverbial for the rapidity and turbulance of its floods, the contractors, though censurable for the inefficiency of their arrangements, in providing them cut stone coping, have, in other respects, prosecuted it with great energy, and generally in a very satisfactory manner.

The dam will require to be raised about 7 feet to throw 2

feet of water in the aqueduct, and should the season prove tolerably favorable, this may be done by the early part of June next.

The work at Harlaem River has not progressed as rapidly as was expected, at the time my report of June last, was made. For pier No. 3 the piles are driven and ready to be cut off, which, with the concrete, is all that is wanting to complete this foundation. The foundation for pier No. 4 is ready for the masonry. The masonry for piers Nos. 5 and 6 is raised 11 feet in height. For pier No. 7, (the first water pier,) the masonry is raised 29 feet, and for pier No. 8, (second water pier,) 30 feet in height; and No. 9, (third water pier,) 35 feet in height. The masonry of these piers ranges from 4 to 21 feet above high tide. The coffer dam for No. 10 is completed, and also the excavation within the dam, and some progress made in driving the sheeting piles for the foundation. The circumstances attending the unsuccessful effort to find a rock foundation for this pier, and the necessity of resorting to a pile foundation, were detailed in my report of 16th November last; and as then directed by your Board, the contractors have been instructed to proceed with the same. Thus far they have made no other progress than the driving of the sheet piles above mentioned; it having been considered more important to direct their attention to putting in the coffer dam frames, and driving the sheeting for Nos. 12 and 13, in order to prepare a suitable foundation for the temporary line of pipe, which has required all the power of their steam engine, since No. 10 was ready for piling. The frame of No. 11 has been sunk, the sheet piling driven around it, and the embankment as nearly completed as is practicable, before the piling of the coffer dam for No. 12 is completed. The frame of the coffer dam for No. 12 is sunk, and three-fourths of the sheeting piles are driven. The frame of the coffer for No. 13 is in place, and the work of driving the sheet piling will be commenced immediately. No. 13 is the seventh or last water

pier. After all the coffer dams are embanked, there will be but a small amount of work required to make a foundation for the temporary line of pipe, which it is believed may all be accomplished by an early day in April, which will allow sufficient time to lay down the pipe, as early as other work will be ready for the water to cross the river.

By reference to my report of November last, it will be seen that the borings in No. 10 reached the depth of 71 feet below extreme high tide, without satisfactory evidence that rock was then obtained; from which it was inferred, that Nos. 11 and 12 would be of a similar character, and also require a pile foundation. The driving of the sheet piling for No. 11 was very much obstructed by rock boulders, which have produced a similar irregularity to that experienced in No. 10. The driving for No. 12 has been much less obstructed by stone, and consequently the sheeting thus far, have been more regularly driven. Piles have been driven for this dam to 50 feet below ordinary high water, without any indication of solid rock, which tends to confirm the impression, that bearing piles will be required for the foundations of Nos. 11 and 12, and possibly for No. 13. Should this prove to be necessary, there will be four continuous piers resting on pile foundations, to wit: Nos. 10, 11, 12, and 13. As yet there is much uncertainty in relation to the character of these foundations. The original soundings, that indicated rock, have in two piers, Nos. 8 and 9, proved to be rock in place, constituting a good foundation, while that of No. 10 has proved to be a stratum of sand, mud, and detached rock, lying on a stratum of sand and clay; and although there appears ground to believe the rock reached by the soundings for Nos. 11, 12, and 13, will prove to be only boulders, or detached masses, it may yet turn out, that a part of them will be found to be solid rock. So far as we may be compelled to prepare foundations for the piers by piling, the expense of the work will be increased. The piling itself, is a heavy item, to which must be added an enlarged base for

the piers, that will be required to spread the bearing over a larger area. It will therefore be perceived, that there is yet a considerable degree of uncertainty in regard to the expense of the remaining foundations, and the time that will be required to complete them. Believing that a revised estimate of this work, would be desirable at this time, it has been made with as much accuracy as such work permits; and in relation to which, it may be remarked, that the only part in which much uncertainty exists, is in relation to the foundations for piers Nos. 11, 12, and 13.

It had been supposed that all the work between Harlaem River and Fortieth street, except the two reservoirs and Clendining Bridge, would have been completed by or before this time. This expectation has not been realized, and we have to enumerate among the unfinished contracts on the island, sections 88, 89, 90, 91, 97 and 98, besides those not expected at the date of my last report to be completed this season, to wit, sections 94, (Clendining Bridge) and 96, including the receiving reservoir, and the contract for the distributing reservoir. The masonry and the greater part of the other work on sections 88, 89, 91 and 94 is done, and excepting a part of the masonry in the tunnel, No. 90 is in the same state of forwardness. These sections may all be completed early in the ensuing Spring. Sections 97 and 98 are for the grading on the Fifth avenue, and other work connected with the iron pipes, that form the connection between the two reservoirs. The delay of the work on these two sections has prevented the completion of the work of laying down the iron pipes on the avenue. The work is now progressing, and it is hoped the contractors will have it ready to allow the laying down the remaining pipes early next Spring. It is proper, however, to remark, that their progress hitherto, has been so tardy, that no great certainty can be anticipated from their management, and unless they go on with considerable energy with their excavation during the Winter, it may be necessary to re-let a portion of this work, in order to secure its completion by the time it will be required.

The laying down the pipes across Manhattan Valley has been completed, with the exception of putting on the waste cocks. The pipes between the reservoirs are laid down with the exception of ..... 4,550 feet.

The temporary pipe at Harlaem River is.... 1,450 "

Total length of single line of pipe to be laid 6,000 feet.

In this department there is some work to be done in putting in discharge and air cocks to complete it.

The work on the two reservoirs may be completed so far as to be ready to receive the water early in June next, by which time it is believed all other work required for this object may be done.

Total amount of accounts certified in full, including those for sections 29, 38 and 39, on which the balance or final estimate has not been paid, is.....	$4,554,689 03
Estimated cost of unfinished contracts, exclusive of iron pipes	2,596,237 00
Estimated cost of iron pipes, including pipes across Harlaem River, and the expense of using a part of them as temporary pipe....	601,000 00
Estimated expense of repairs for 1842, and attendance in letting in the water and proving the work, which must be regarded in a great degree as conjectural.....	20,000 00
Cost of repairs, as paid and estimated to be done on the 31st of December, 1841.....	12,592 04
Expense of Engineer Department since the same has been under my charge, from October, 1836, to 19th October, 1841, for myself and principal assistant; and to 31st of December, 1841, for general pay roll and incidental expenses.....	175,611 61
	$7,960,129 68

The expenses of the Engineer Department, previous to the time above stated, is to be charged, to obtain the full expense of construction. These, never having been in my accounts, are necessarily omitted in this statement.

For the preceding work there has been expended, including the accounts and estimates submitted up to this date, as follows:

On account of contracts in full, exclusive of iron pipes, as above		$4,554,689 03
On unfinished contracts, exclusive of iron pipes, and including the estimate of December 25th, 1841	$1,485,207 00	
On account of pipes and laying them, including bills up to 31st of December, 1841, bill for November, amounting to $2,600 62, and an estimate for December of $2,500, are yet unpaid	541,083 69	
For Engineer Department, as above stated, November and December pay rolls, and incidental bill for December, amounting to $3,658 40, unpaid	175,611 61	
For repairs, as above stated. The accounts for November amounting to $1,027 99, and that for December, estimated to amount to $1,200 are not yet paid	12,592 04	
		2,214,494 34
		$6,769,183 37

Summary of preceding Statements.

Expended and estimated to be required.....	$7,960,129	68
Amount paid and estimated due, as above....	6,769,183	37
	$1,190,946	31
Add for contingencies and superintendence on balance of work to be done at eight per cent.....	95,275	70
Remains to be expended.....	$1,286,222	01

Probable cost of the work, exclusive of the expense of land and water rights, from the Croton Reservoir to the Distributing Reservoir, both inclusive, may be stated, as follows:

Total amount of work done and to be done..	$7,960,129	68
Allowance as above for contingencies and superintendence	95,275	70
Probable total cost of work, exclusive of land and water rights.....	$8,055,405	38
The total amount of the estimate for the work, which I submitted in December, 1837, with the addition for raising the bridge over Harlaem River, was.....	8,320,898	00
The statement above shows cost and estimate at this time	8,055,405	38
Less than the estimate of 1837....	$ 265,492	62

The expenses of the Engineer Department, previous to my taking charge of the work, must be deducted from the above balance.

It is proper to remark that my estimates do not embrace disbursements for land and water rights, and the incidental expenses connected with this item; nor have I had charge of the accounts for this disbursement. The land required

has been obtained, with a trifling exception. The water rights on the Croton below the dam, for a total length of river margin, measuring on each side, of 491 chains, and an aggregate fall of 128 feet, have been obtained by purchase; and there remains a total length, measuring the margin on each side, of 380 chains, with an aggregate fall of 111 feet, for which the water right has not been obtained. This mode of stating the water right, has been adopted in consequence of the fact, that the river is the boundary of property, and each owner of land along the river is said to have so much length, and the whole fall of the river on this length is given, though he has the right to only one-half the water. It will therefore be perceived, that of the entire fall of the river itself, there has been purchased 64 feet, and remains to be obtained by purchase or appraisal 55½ feet.

By the preceding statements it appears the cost of the whole work will fall below the estimates made in December, 1837. Notwithstanding this aggregate result, a revision of the estimate for the Harlaem River Bridge shows a probable excess in this item as stated below:

Estimated cost of bridge work, including iron pipes, and extra expense of laying down a part of the same for temporary use, with an allowance of eight per cent. on work not done, for superintendence and contingencies.....	$935,640 00
The original estimate for the same, was....	866,613 00
Excess of cost over original estimate....	$69,027 00

On the bridge, exclusive of pipe account, there is yet to be expended about six hundred and thirty thousand dollars. Probably about two hundred thousand dollars will be expended during the ensuing year.

In a few days from this time, the Engineer Department on

the line of the work, will be reduced to the following arrangement:

E. French, Resident Engineer, 1st and 2d Divisions.
D. Adamson, Inspector at Croton Dam.
P. Hastie, Resident Engineer, 3d and 4th Divisions.
E. H. Tracy, 1st Assistant Engineer.
F. B. Tower, " "
J. Renwick, jr. " "
J. C. Campbell, 2d " "
Isaac Vervalen, Inspector at Harlaem River.
T. T. Schramke, Draftsman:

with some partial service of Inspectors and Axemen during the Winter.

It is intended to have the computations for the final settlement of accounts, so far prepared during the Winter, that no material addition to the above arrangement will be required for the completion of the work.

The probable amount of funds wanted during the ensuing season for the work included in the above statements, will be $900,000, in addition to which, provision is to be made for extinguishing water rights on the Croton, and remaining land damage, which being a subject to be settled by appraisal, cannot be estimated at this time.

It is expected the contracts for iron pipes, and Croton Reservoir, will be ready for final settlement during the month of January; and for sections 88, 89, 90 and 91, by the 1st of May, and for 94, 97 and 98, by the 1st of June; the two Reservoirs by the 1st of July; and other work, excepting Harlaem River, during the month of August. The probable times when wanted:

From this time up to 25th February....	$125,000
" 25th February to 1st May.....	140,000
" 1st May to 1st June.....	150,000
" 1st June to 1st July	140,000
Amount carried forward.....	$555,000

Amount brought forward.....	$555,000
From 1st July to 1st August	135,000
" 1st August to 1st September.....	80,000
" 1st September to 1st October.....	50,000
" 1st October to 1st November.....	40,000
" 1st November to 31st December ..	40,000
Total.....	$900,000

The time of completing the contracts may vary somewhat from that above anticipated, but it is believed it will be found a sufficient approximation.

Respectfully submitted.

JOHN B. JERVIS,

Chief Engineer, New York Water Works.

APPENDIX.

Communication containing the Estimates of the Chief Engineer of the Croton Aqueduct—the Estimate for laying water pipes for the year 1842, *and a Statement of the present condition of the Water Loan.*

COMPTROLLER'S OFFICE,
December 30th, 1841.

To the Honorable the Common Council:

GENTLEMEN—In addition to the estimates of the revenues and expenditures of the Corporation for the year 1842, I now submit a statement of the Water Loan, and the amount estimated by the Engineers, required to be raised during the year, for the continuance and completion of the work, having received the same since the general estimate was submitted.

The amount of stock issued up to January 1, 1841, was	$ 7,803,269	00
The amount of stock redeemable in 1870, issued since	696,731	00
	$ 8,500,000	00
Amount of stock of 1880, issued since	120,500	00
Total amount of permanent stock issued...	$ 8,620,500	00
" " stock authorized.....	12,000,000	00
" " stock on hand.....	$ 3,379,500	00

Amount brought forward.....		$3,379,500 00
Amount of temporary stock issued on account of Croton Aqueduct during the year 1841.....	$1,358,261 00	
Treasury advance to Water Fund in 1841	379,005 04	
Water Commissioners' requisitions to Jan. 1, 1842 ...	158,961 57	
Croton Commissioner's requisitions to Jan. 1, 1842 ...	14,693 10	
Estimate of Engineers for am't wanted to complete the Croton Aqueduct $1,366,459 61		
Of which may be suspended on High Bridge, &c 450,000 00		
	916,459 61	
Estimate for laying pipes, &c. by Croton Aqueduct Commissioner	402,510 07	
Estimated amount of Interest on Water Loan Stock, Temporary Water Loan, and Treasury advances raised on bonds payable, to February, 1842	140,341 00	
		$ 3,370,231 39
		$ 8,268 61

These claims will consume the whole amount of the loan authorized, within eight thousand dollars, if negociated at par, leaving the three quarters interest payable, May, Au-

gust, and November, to be met by the revenue of the water when introduced, and direct taxation, as already provided by law. The balance of the loan negociated, at the present market rate, will not yield sufficient for the completion of the work according to the plan now in progress.

If the plan is altered at once by the Common Council, suspending any portion of the work not necessary for the introduction of the water, as by postponing the construction of the High Bridge, by deferring the further laying down of water pipes, by abrogating unnecessary expenses, and reducing all matters that can safely be contracted for, to positive and limited contracts, it is believed the present loan can be made to accomplish the introduction of the water in the early part of the present year; but unless such alterations are at once resolved upon, it will be necessary, during the session of the present Legislature, to apply for permission to make a further loan.

Copies of the estimates of the Chief Engineer and the Croton Aqueduct Commissioner, are appended.

Respectfully submitted.

ALFRED A. SMITH,

Comptroller.

Copy of Estimate of John B. Jervis, Chief Engineer.

For iron pipe account, Nov. bill	$2,600 62	
" " " Dec. "	2,500 00	
		$5,100 62
Pay roll for Engineer Department for November	$1,835 50	
Pay roll for Engineer Department for December	1,659 95	
Incidental bills for December ...	162 95	
		3,658 40
Amount wanted to close bills to the 31st of December, 1841		$8,759 02
Wanted for balance on contracts that are not yet completed		$1,286,459 61
The above does not include the land damage and water rights not yet obtained on the Croton, which may amount to		80,000 00
		$1,366,459 61

(COPY.)

CROTON AQUEDUCT DEPARTMENT,
NEW YORK, DEC. 20, 1841.

Alfred A. Smith, Esq.:

Sir—I send you, agreeably to your request of the 13th, an estimate of the expenses of this department for the coming year.

There will probably be due for trench on the Fifth avenue, from the 1st of January to the 1st of March, per month,	$2,182 06	$ 4,364 12
For water pipes and branches on contracts, from the 1st of April to the 1st of July, per month,		
Cash	$78,486 58	
Stock	20,304 67	
		296,373 75
The rest of the expenditures may be assumed to be equally divided, from March 1 to December, 1842, ten months, at	$10,177 22	101,772 20

This last sum is for laying twenty-six miles of pipe, including the principal and secondary mains, and includes the following items:

Trenches	$ 23,725 80	
Lead	24,027 01	
Labor	23,754 59	
Cartage	6,474 80	
Stopcocks	13,230 00	
Hydrants	10,560 00	
	$101,772 20	
Total		$402,510 07

I am, Sir, your obedient servant,

(Signed.) H. A. NORRIS,

Aqueduct Commissioner.

REPORT

OF THE

Croton Aqueduct Commissioner,

FOR THE QUARTER ENDING

Dec. 31*st*, 1841.

DOCUMENT No. 56.

NEW YORK:

BRYANT AND BOGGS, PRINTERS.

DOCUMENT No. 56.

BOARD OF ALDERMEN,

JANUARY 17, 1842.

Report of the Croton Aqueduct Commissioner, for the Quarter ending December 31, 1841. *Laid on the table and ordered to be printed.*

SAMUEL J. WILLIS, CLERK.

To the Honorable the Common Council of the City of New York:

CROTON AQUEDUCT DEPARTMENT,
NEW YORK, JAN. 1, 1842.

In compliance with the ordinance to create the Croton Aqueduct Department, the undersigned has the honor of presenting a statement of the expenditures made during the quarter which has just expired, a return of the water pipes and other materials on hand, and the quantity of pipes, &c. under contract.

As the water works are rapidly progressing towards completion, and important questions concerning them are likely

to arise, the undersigned deems it his duty at this time to pass beyond the usual limits of a quarterly report, and to furnish such information respecting the portion of the work entrusted to the Aqueduct Department as may be useful upon the occasion.

Up to the present time 101¼ miles of water pipes have been laid, including 1¼ miles of the principal mains leading from the reservoir at Fortieth street. To fill up the densely ocupied part of the city will require about 20 miles more of distributing pipe, and to complete the connection between the reservoir and the wide spread system of smaller pipes, will require 5½ miles of the longitudinal or principal mains, and 6½ miles of the transverse or secondary mains. A considerable part of this work can be done after the introduction of the water as well as before.

The system of distributing pipes, when completed, will be capable of conducting a most abundant supply of water to all parts of the city; and this too with a current of less than one foot per second in the small mains, and from one foot to three in the large ones. In case of fire, however, the small pipes in the vicinity would discharge with a volocity much greater than ordinarily. The manner in which these calculations have been made is given in a note at the end of this report.

Our calculations of the head of water, and the quantity to be supplied, are made upon a formula generally esteemed for its accuracy. On applying it to the water works of Philadelphia, we find that their two principal mains, of 22 and 20 inches diameter respectively, should convey to the central point of delivery about seven millions of gallons in 12 hours. But in forcing this quantity through those mains, the head is so nearly expended that the water can be drawn off only about four feet above the surface of the pavement. Applying the same rule to the two principal mains of the New York Water Works, 36 inches diameter each, we find that we can draw off seven and a half millions of gallons

per day, 80 feet above the level of the city; and that, at 24 feet above the general level of the city, we could draw the enormous quantity of twenty-two millions of gallons per day. This is owing to the superior size of our principal mains, and to the greater elevation of our reservoir above the city. A tabular comparison of the two water works is given in a second note at the close of this report.

The introduction of water into dwellings and other buildings, involves the establishment of a judicious plan for executing the work, and a well digested scale of charges for the water. The public interest will probably require that this department retain the control over such parts of the service pipes as lie in the streets between the mains and the front line of the lots; that they shall be laid according to the general plan, under a penalty; otherwise there will be, not only great irregularity in the work, but strong temptations to frauds upon the water revenue. The annexed drawings will show different modes of attaching the service pipes to the mains.

The establishment of a tariff of charges is perhaps the most delicate duty yet to be performed in relation to this work. If placed too high, it will deter people from using the water; if too low, the income will be deficient; and, in either case, the Treasury will suffer. In supplying manufactories, and other large consumers, it is usual to charge a specified sum for the year's supply. This sum is fixed, in some cases, by a positive rule; in others, it is subject to arrangement by the parties. In cities where the water is cheaply obtained, this wholesale mode of supplying large customers may be permitted; but in ours, where the cost of the work is great beyond example, it is doubtful whether it will afford even an approach to the necessary revenue. Few manufacturers can estimate accurately their business for one year to come; and in contracting they will be apt to agree for a *minimum* rather than a *maximum* supply. If a *water meter* could be constructed, and there is little doubt that it

can be done, capable of registering the quantity of water used by each large consumer, the means of a just settlement would be had at once. Many would contract with confidence, when sure of purchasing at a fair rate, and of being charged with no more than they use; while they would be unwilling, perhaps, to pay half the amount if charged arbitrarily in a lump.

Something seems absolutely necessary to make the sale of water for manufacturing purposes more general in this city, and more productive in proportion, than it is in Philadelphia. In 1840 the whole amount charged in that city for water supplied to dwellings was $107,549; for manufacturing and all other purposes $26,163. In two estimates of the revenue to be derived from the Croton water, one made in 1835 by the Board of Water Commissioners, and the other by the Comptroller in 1841, the amounts are thus composed:

Estimate for 1835.

For water furnished to dwellings at $8 each...	$160,000
" " " for all other purposes.....	150,516
Total.....	$310,516

Estimate for 1841.

Water for dwellings (maximum) at $10 each	$230,720
" all other buildings (maximum).....	449,129
Total....	$679,849

It will be seen that our factories, &c., are expected to yield, by one of these estimates, nearly as much as the dwellings; and by the other, nearly twice as much as the dwellings. Whereas in Philadelphia they actually realise from their factories, &c., rather less than one-fourth of what the dwellings pay. As this result will scarcely answer the purposes of our city, it seems imperative upon us to adopt a different mode of selling the water.

It would probably be inexpedient to measure out the water for private families; they should rather be encouraged to a free but not a wasteful use of it. Ten dollars a year for houses of medium size, and five dollars for rear dwellings, would be a moderate charge; and with regard to these, there seems no need for deviating from the custom of other cities.

The following scale of prices for water is proposed for consideration:

Annual Charges.

Dwellings according to size	$10 to	$12
" in the rear		5
" with shops	12 to	20
Privilege of washing pavement		5
" bath		5
Warehouse		15
Boarding house	12 to	20
Stable, private	6 to	10
" livery, per stall		2

Charges by Measure.

Large boarding houses, stables, breweries, tanneries, public baths, packing or salting houses, and all other consumers, per hogshead of 100 gallons, by meter	4 cts.
Shipping, when supplied by hose at the wharf, per hogshead	20 cts.

If it be required of this department, as originally intended, to collect the income resulting from the sale of Croton water, then additional assistance will be necessary. An officer might he appointed to receive all such monies and pay over the same to the Chamberlain every two weeks; to collect all dues for water, keep systematic accounts of the transactions therewith connected, and report the same to the Common Council every three months.

The Aqueduct Commissioner could, as originally instructed, receive proposals for water, make contracts, and require of each applicant for water, to file in his office, the Cashier's receipt for the sum stipulated, before the water could be furnished. When once furnished, it should, be the Cashier's duty to look after the rent for the same, from year to year, until alteration or discontinuation is to be made of the contract; when the applicant is again referred to the Commissioner, who makes the corresponding change in the supply.

The first year's annual charge could be paid at this office when the water is let into the city; and the stopcocks on all pipes leading into houses should be kept closed until the day approaches. Then, upon the payment in advance of the yearly rent, they could be opened at once. Afterwards, the charges by measure could be collected quarterly by from five to ten persons, appointed for the purpose, and acting under the direction of the Cashier. As there will be no collections of this kind to be made until late in the year, these additional officers can for the present be dispensed with.

Respecting the sale of the Croton water for power, there is reason for acting with great caution. With the temporary arrangement for crossing the Harlaem River, the aqueduct is calculated to supply twenty-five millions of gallons per day. Assuming that the domestic and manufacturing wants of the city will consume ten millions, there will remain fifteen millions to be disposed of. If this could be used near the upper reservoir, there would be no great loss of head; but if used at any considerable distance from the reservoir, there must be extra lines of pipes to conduct it, or else the loss of head would be very great for this large quantity of water. But supposing the pipes to be laid so as to lose no more than 34 feet of head; we should then have 80 feet elevation remaining. This, when used for power in the most economical manner, would give for fifteen millions of gallons per day, 484 horse power. Each horse power would thus require 30,959 gallons per day, which at the proposed rate of

four cents per 100 gallons would bring $12 38 cents per day, and as one dollar per day is about the *maximum* value for a horse power, it follows that pure water for power is worth less than one-twelfth part of what it is for other uses. Now, if this pure water can be had at this low rate, who will give twelve times as much by the meter? The waste water, after carrying an engine or wheel, is as good as before; and the greatest caution will be necessary to prevent this use of water being resorted to, in order to get it cheaply for other purposes. Thus, the superfluous water may become a ruinous competitor against the regular supply, and seriously injure the revenue of the works.

Where prudence authorises a sale of water for power, the most economical mode of applying it would be to use it in a cylinder as steam is used; we should thus have an engine in all respects like the steam engine, save that the boiler and fire are dispensed with, and the pressure is ready at any moment to act. A power so safe, compact and convenient, ought to command a higher price than any now in existence in this city. It should bring at least one dollar per day for each horse power, if sold at all for such purposes, and in every case where the waste water is used, or liable to be used for other purposes, it should be charged at full price by the meter.

To protect the works in all their parts from acts of violence and wantonness, and to prevent frauds upon their well-earned revenue, will require special enactments supported by adequate penalties. The undersigned has paid some attention to the details necessary to effect these objects with regard to the part of the work placed under his superintendence; and, if occasion shall call for it, purposes to offer a future communication upon the subject.

All of which is respectfully submitted.

H. A. NORRIS,
Croton Aqueduct Commissioner.

NOTE 1.

If we assume each tenement to be 25 feet in front, and to require a daily supply of 175 gallons, or 28 cubic feet of water, to be drawn in twelve hours at a constant rate; the relation between the distance or length of street to be supplied, the diameter of the pipe and the velocity of the current in that pipe necessary to give the required supply, will be expressed by this equation:

$$v = \frac{D}{105{,}2 \quad d^2}$$

in which D, represents the distance in feet to be supplied; d, the diameter in inches of the pipe; and v, the velocity in feet per second of the current.

The quantity delivered under different velocities, and with different sizes of pipe, is readily computed by the following formula:

$$Q = v' \, d^2 \times 122{,}72$$

in which v' is the velocity *in inches*; d, the diameter of the pipe in inches; and Q, the number of gallons of 10 lbs. each that will be delivered in twelve hours.

The relation between the head of water, the velocity of the current, &c., is expressed by this equation

$$V = \frac{\sqrt{ng}\ (\sqrt{d} - 0{,}1)}{\sqrt{S} - L\sqrt{S} + 1{,}6} - 0{,}3\,(\sqrt{d} - 0{,}1)$$

in which n is an abstract number determined by experiment to be 243,7.

g, 32,2 feet.

d, hydraulic mean depth; in the case of pipes it is one-fourth of the diameter of the pipe in inches.

S, slope of pipe, or surface of current, i. e. expended length of pipe divided by difference of level of the two extremities.

L, hyperbolic logarithm of the quantity before which it is placed; equal to common logarimth multiplied by 2,3026.

V, velocity in inches per second of the current.

NOTE 2.

NEW YORK WATER WORKS.

Quantities of water capable of being supplied, according to the different velocities of the current in the principal mains; also, the loss of head in each case, and the effective head remaining:

Velocity per second in feet.	Number of gallons supplied in twelve hours.	Loss of head due velocity distance, and sizes of pipes.	Effective head remaining.
1	3,817,020	$2\frac{66}{100}$ ft.	$86\frac{34}{100}$ ft.
2	7,634,040	$9\frac{31}{100}$ ft.	$79\frac{69}{100}$ ft.
3	11,451,060	$19\frac{15}{100}$ ft.	$69\frac{85}{100}$ ft.
4	15,268,080	$31\frac{87}{100}$ ft.	$57\frac{13}{100}$ ft.
5	19,085,100	$47\frac{23}{100}$ ft.	$41\frac{77}{100}$ ft.
$5\frac{1}{2}$	20,993,610	$55\frac{98}{100}$ ft.	$33\frac{2}{100}$ ft.
6	22,902,120	$65\frac{02}{100}$ ft.	$23\frac{98}{100}$ ft.

The reservoir at Murray's Hill is 114 feet above high water; and 89 feet above the general level of the city, assumed to be 25 feet above high water. The velocities being assumed, the loss of head is calculated for two 36-inch mains, reaching from the reservoir to Canal street, corner of Broadway, and the Bowery, corner of Walker; the distance is 14,500 feet, and is about the average one for the city.

There are now laid one hundred miles of distributing pipe, and arrangements are made for some twenty miles more, to be laid within a year or two.

PHILADELPHIA WATER WORKS.

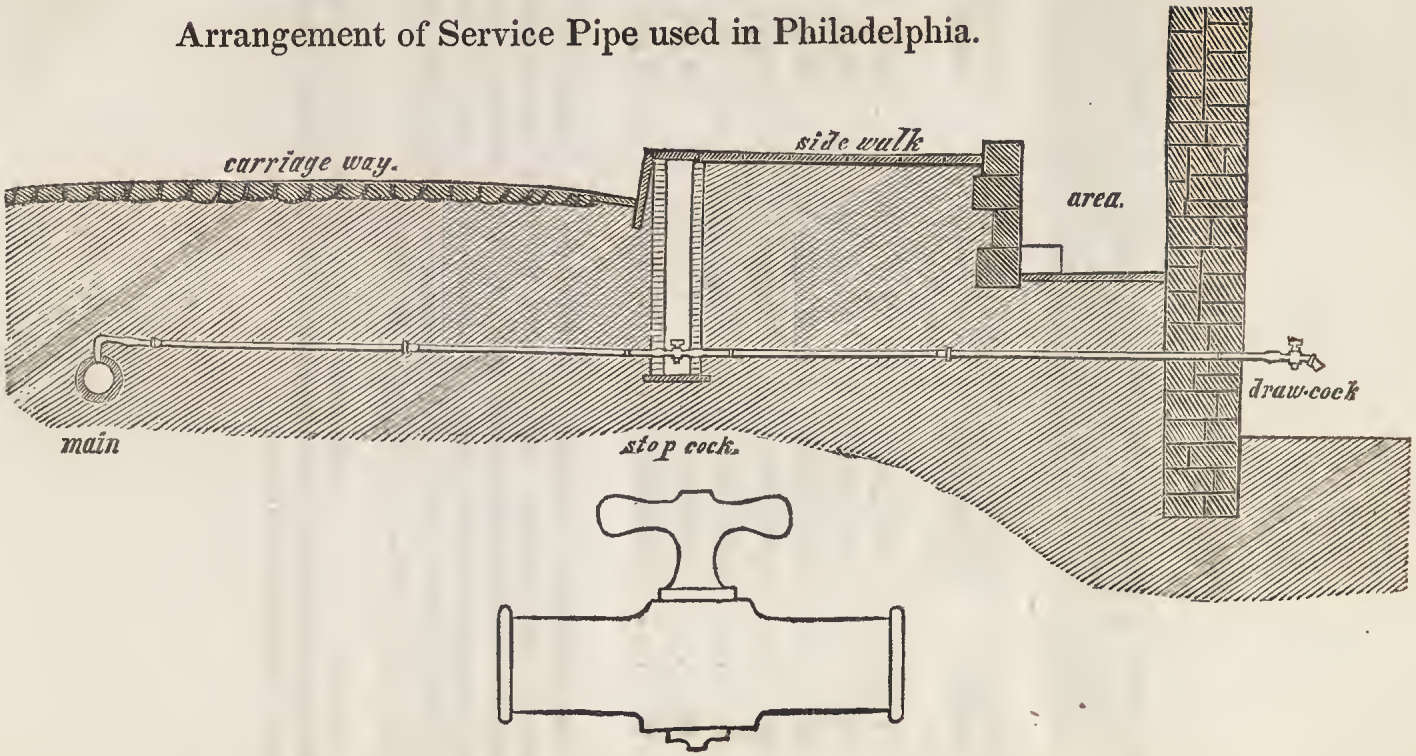
Quantities of water capable of being supplied according to the different velocities of the current in the principal mains; also, the loss of head in each case, and the effective head remaining:

Velocity per second in feet.	Number of gallons supplied in twelve hours.	Loss of head due velocity, distance, and size of pipes.	Effective head remaining.
1	1,301,081	3 ft.	63 ft.
2	2,602,162	$10\frac{53}{100}$ ft.	$55\frac{47}{100}$ ft.
3	3,903,243	$21\frac{52}{100}$ ft.	$44\frac{48}{100}$ ft.
4	5,204,324	$35\frac{74}{100}$ ft.	$30\frac{26}{100}$ ft.
5	6,505,405	$52\frac{66}{100}$ ft.	$13\frac{34}{100}$ ft.
$5\frac{1}{2}$	7,155,945	$61\frac{87}{100}$ ft.	$4\frac{13}{100}$ ft.
6	7,806,486	$72\frac{26}{100}$ ft.	$-6\frac{26}{100}$ ft.

The reservoir at Fairmount is 66 feet above the general level of the city. The velocities being assumed, the loss of head is calculated for two principal mains, of 22 and 20 inches diameter respectively, bringing the water from the reservoir to the corner of Broad and Chesnut streets, assumed as the centre of delivery. The distance, along the course of the pipes, is 9,900 feet.

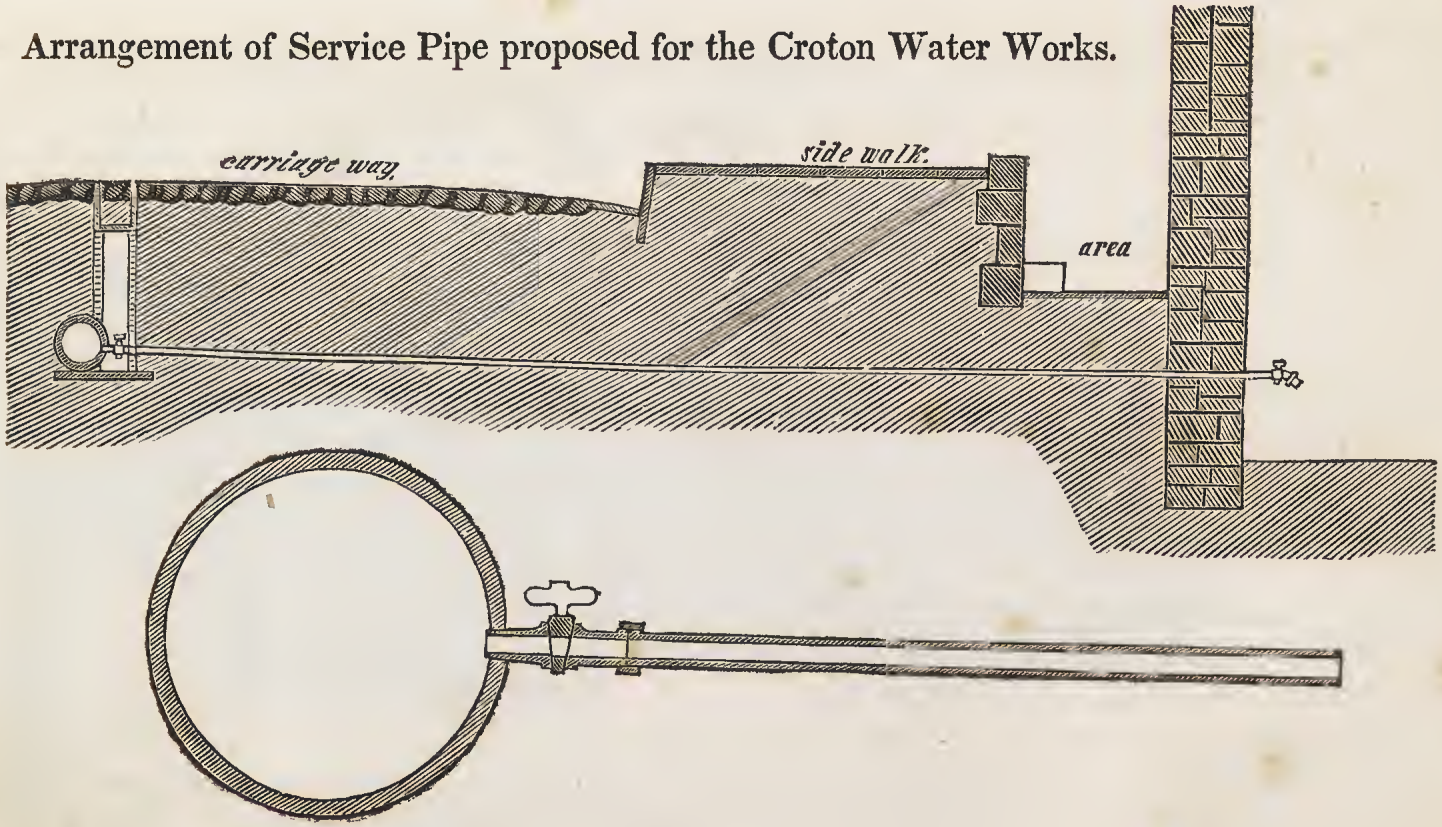
Attached to these principal mains, there are 108 miles of distributing pipes, now supplying an average of 4,034,638 gallons of water per day throughout the year.

Arrangement of Service Pipe used in Philadelphia.

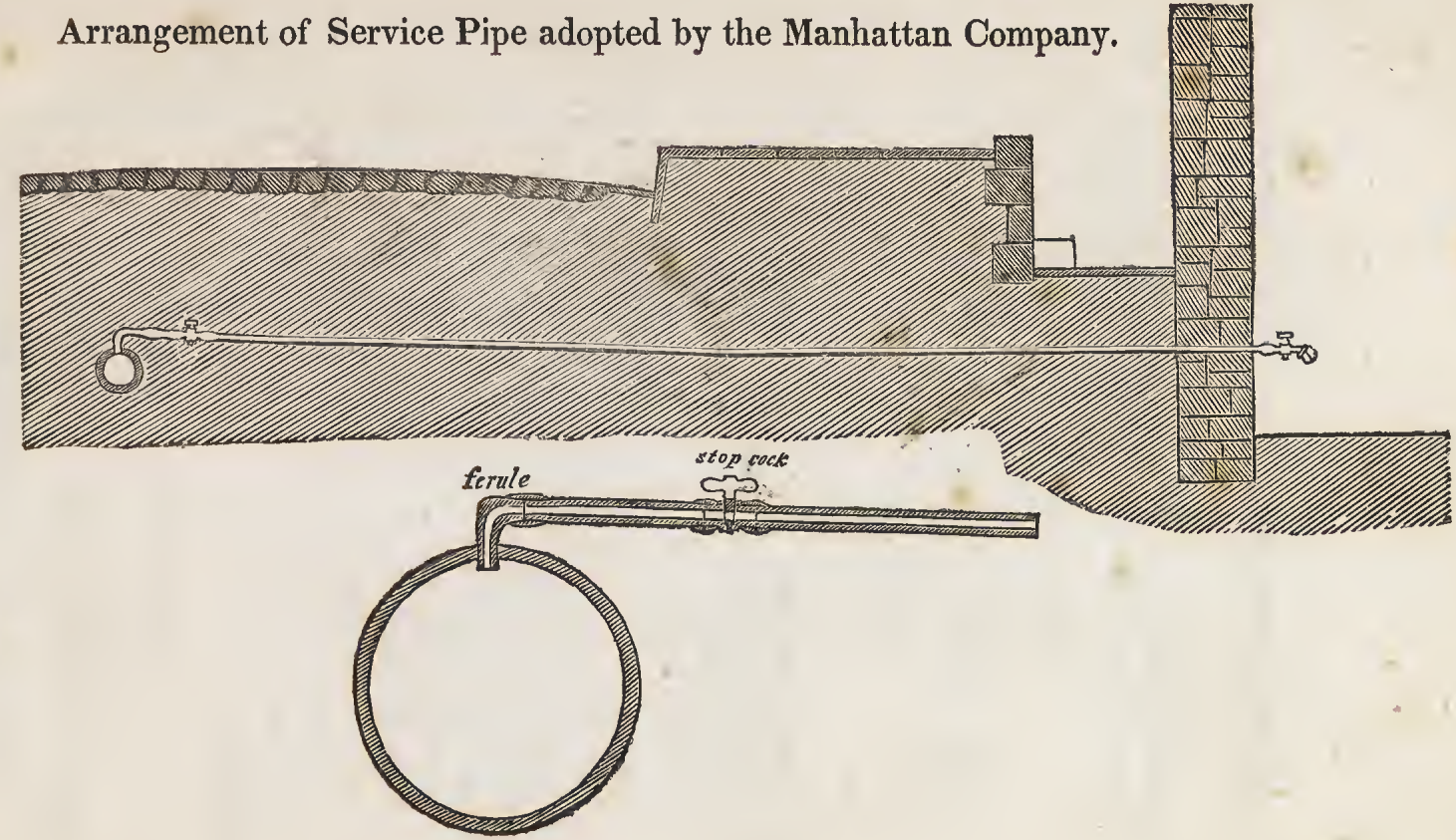




Arrangement of Service Pipe proposed for the Croton Water Works.



Arrangement of Service Pipe adopted by the Manhattan Company.



CROTON AQUEDUCT DEPARTMENT,
NEW YORK, JAN. 1, 1841.

REPORT OF EXPENDITURES,

From 1st October to 31st December, 1841, inclusive.

Water Pipes and Branches.

Paid Chollar & Jones	$38,507 98	
" Ellicott & Brothers	39,723 11	
" Stillman & Co.	19,562 67	
" West Point Foundry Ass'n	12,347 14	
" Joseph W. Brick	11,326 73	
" Merrick & Towne	11,677 89	
" Wintersteen & Myers	11,313 39	
" Stephen Colwell	9,062 33	
" A. M. Jones & Brother	8,614 42	
" David C. Wood	3,982 64	
" John Cumings	3,405 05	
" James P. Allaire	1,783 81	
" T. & G. Rowe	935 37	
" Postley & Co.	785 19	
" John C. Robertson	85 63	
		$173,113 35

Stopcocks.

" James Robertson		7,435 00

Hydrants.

" T. & G. Rowe, castings	$2,593 00	
" James Robertson, fitting up ..	2,360 00	
		4,953 00
Amount carried forward		$185,501 35

Amount brought forward		$185,501 35
Repairing Stopcocks and Hydrants.		
Paid James Robertson		24 00
Stopcock Boxes.		
" John J. Moffat		300 00
Lead for Joints.		
" James McCullough		5,330 53
Yarn for Joints.		
" William Maxwell		205 05
Cartage of Pipes.		
" Grout & Wandell	$1,744 50	
" Patrick Galligher	163 89	
" Henry Saelor	193 88	
" John J. Cooper	190 62	
" Peres Reynolds	187 51	
" Caleb Brush	192 14	
" Thomas Miller, Jun.	181 74	
" Matthias Carstine	204 24	
" Abraham Teale	191 88	
" Peter Spier	185 63	
" Isaac Vanderbeck	191 99	
" George W. Whitley	177 01	
" Henry Yates	162 74	
" Thomas Maher	122 74	
Amounts carried over	$4,090 51	$191,360 93

Amounts brought over	$4,090 51	$191,360 93
Paid Cornelius Bunner	128 50	
" Peter Hamill	183 62	
" Nathaniel Selah	145 88	
" George McNamara	82 14	
" William Whitley	54 75	
" John C. Wandell	17 62	
" Charles O'Neil	4 88	
		4,707 90

Digging and Filling Trenches, and repaving Streets.

Paid H. V. B. Barker	$7,525 87	
" Patrick McCafferty	6,672 31	
" Blair & Quin	1,159 49	
" Peter Quin	1,618 44	
		16,976 11

Repairing Sewers, Manhattan Logs, &c.

Paid Thomas D. Howe	$295 76	
" William M. Montgomery	64 75	
" Blair and Quin	59 50	
		420 01

Tools, and Repairing Tools.

" John Ely	$319 98	
" John C. Robertson	247 61	
" William Condon	95 62	
" Baxter & Mott	79 68	
" William Westerfield	65 00	
" Moore & Vanderbeck	39 24	
" H. R. Dunham & Co.	15 38	
Amounts carried forward	$862 51	$213,464 95

Amounts brought forward ...	$862 51	$213,464 95	
Paid G. Lyons	5 25		
" John J. Brower	2 12		
			869 88

Whitewashing Pipes.

" James O'Farrell	$135 95	
" John C. Dunn	24 88	
		160 83

Patterns.

" John Cumings	$20 63	
" T. & G. Rowe	20 04	
" West Point Foundry Association	8 00	
		48 67

Pine Wood.

" William Whitley	165 01

Lumber.

" Hockman, Martin & Menzies	$ 695 89	
" Campbell & Moody	1,033 61	
" John J. Moffat	50 07	
		1,779 57

Contingent Expenses.

„ Gardner & Wells, timber and joist	$ 47 61	
" Gould, Banks & Co. stationery	81 72	
" Cornelius Westervelt, plugs for branches	5 00	
Amounts carried over	$134 33	$216,488 91

Amounts brought over	$134 33	$216,488 91
Paid H. R. Cox, muslin for maps ...	4 47	
" Charles O'Neil, charcoal and cartage	51 39	
" N. Travis, brick	5 94	
" John Jacob Astor, rent of lots	200 00	
" Benjamin F. Goodspeed, commissions on lots	25 00	
" D. Martin, barrels, pails, brooms, &c.	32 81	
" P. P. Ramsay, shoe thread	4 06	
" William Plumb, sundry small items	47 59	
		505 59

Workmen's Wages.

" Foremen and Workmen on the lines, and at the yard, one clerk, and one draughtsman	10,627 44
	$227,621 94

Quantity of the different sizes of Water Pipes and their Connections on hand 1st January, 1842.

Pipes, 30 inches diameter	5,040
" 24 " "	1,791
" 20 " "	6,759
" 16 " "	9,009
" 12 " "	243
" 10 " "	288
" 6 " "	33,633
" 4 " "	3,537
Total number of feet	60,300

Branches	from	20	to	4-inch	diameter	... 326
Caps	"	24	"	4	"	... 251
Sleeves	"	20	"	4	"	... 233
Reducers	"	16	"	4	"	... 142
Bevel hubs	"	20	"	6	"	... 59
Circulars						 48
Frames and covers						 60
Stopcocks,	6-inch					 47
"	12	"				 29
"	16	"				 3
"	20	"				 3
"	36	"				 1
Hydrants,	new					 23
"	repaired					 12
"	old					 10

Water Pipes and their Connections, under contract and not delivered, January 1, 1841.

Contractors' Names.	Quantities.	Size.
West Point Foundry Association	1,612 tons	36-inch pipes
Stillman & Co.	474 "	" " "
Wintersteen & Myers	7 "	24 " "
Ellicott & Brothers	400 "	" " "
"	418 "	20 " "
Wintersteen & Myers	71 "	" " "
"	42 "	16 " "
Ellicott & Brothers	11 "	" " "
Joseph W. Brick	9,000 feet	12 " "
Ellicott & Brothers	31,739 "	6 " "
A. M. Jones & Brother	8,659 "	" " "
David C. Wood	5,386 "	" " "
James Robertson	60 ...	12 " stopcocks
Joseph W. Brick	100 tons	..... branches

REPORT

OF THE

DISTRICT ATTORNEY,

WITH

Statistics of Crime

IN THIS CITY FOR TWELVE YEARS LAST PAST.

DOCUMENT No. 57.

NEW YORK:

BRYANT AND BOGGS, PRINTERS.

DOCUMENT No. 57.

BOARD OF ALDERMEN,

JANUARY 17, 1842.

Report of the District Attorney, with Statistics of Crime in this City for twelve years last past. Laid on the table and ordered to be printed.

SAMUEL J. WILLIS, CLERK.

To the Honorable the Common Council of the City of New York:

I have at some labor prepared and now respectfully present for the use of your Honorable Body, a set of statistics of crime in this city. They cover the years 1830 to 1841, both inclusive. Schedule A, contains a full and particular statement of the indictments, trials, recognizances to answer, persons discharged, cases settled, and complaints not acted upon during each year, and each month in each year, in the Courts of Oyer and Terminer and General Sessions of the Peace. By adding the number of indictments to the number of discharges, and to these the number of complaints returned, a fair average of the whole number of complaints during the year may be had. Schedule B, shows these additions. Schedule C, exhibits the whole number tried in the Special Sessions. Schedule D, exhibits the whole number

of trials in the Courts of Oyer and Terminer, and General and Special Sessions. Schedule E, exhibits the number of convictions (in all the Courts) involving moral turpitude. Schedule F, shows the number of convictions in the General Sessions, and the particular nature of the offences.

While many suppose that crime is on the increase in a ratio greater than our increase of population, it is gratifying to find that the data furnished, fully sustains the contrary.

It will be seen that the number of recognizances to answer, increased from 2,354 in 1830, to 3,790 in 1836, and that they decreased from 3,790 in 1836, to 2,179 in 1841.

The number of complaints not acted on by the Grand Jury in 1830 were 1,755, they increased to 3,412 in 1836; since when such cases have decreased to 950 in 1841.

Our population in 1830 was 202,589. Convictions then was one for every 321, whilst our population in 1840 was 312,852, the convictions were one for every 345.

It is to be observed, that the great increase of convictions in the year 1840 and '41 are cases of petit larceny. The whole number of convictions in the General Sessions, in 1830, was 266; whilst in 1840, the convictions were but 239. The convictions in the Special Sessions, from 1830 to 1839, do not vary much. They increased from 349 in 1839, to 526 in 1840, and swelled to 666 in 1841.

Believing that this information would be gratifying to our fellow citizens, and useful to your Honorable Body, in reference to measures about to be adopted for the improvement of our system of Police, the documents are

Respectfully submitted, by your most ob't. servant,

J. R. WHITING, *District Attorney.*

A.

GENERAL SESSIONS.

1830.	Jan.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Total.
Indictments	71	0	97	80	102	106	63	53	81	68	60	91	872
Trials	54	12	50	37	50	67	43	36	43	39	45	61	537
Recognizances to answer	141	100	130	213	188	182	238	216	366	232	181	167	2354
Discharged by Grand Jury	27	No	28	46	30	36	28	19	26	23	20	72	355
Settled	7	Gr.	10	9	16	8	16	12	23	16	16	16	149
Complaints returned	91	J'ry	277	95	77	132	193	228	181	180	162	139	1755

1831.	Jan.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Total.
Indictments	100	95	77	80	76	102	51	81	155	67	64	60	1006
Trials	65	51	52	44	43	60	37	44	59	68	62	39	624
Recognizances to answer	156	184	129	124	141	208	250	256	368	249	281	190	2536
Discharged by Grand Jury	59	17	16	26	35	30	22	10	85	22	15	33	370
Settled	17	6	13	6	13	11	4	15	11	6	8	8	118
Complaints returned	75	94	109	97	94	158	216	266	241	190	216	174	1930

1832.	Jan.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Total.
Indictments	60	74	61	97	64	61	25	28	61	62	50	62	704
Trials	40	55	41	40	45	48	17	17	32	33	29	39	436
Recognizances to answer	138	169	134	135	213	194	279	284	288	310	269	209	2622
Discharged by Grand Jury	36	20	22	27	41	22	5	2	17	8	4	17	221
Settled	12	11	11	6	12	12	9	4	7	27	10	20	141
Complaints returned	65	150	112	99	210	191	278	273	171	288	301	157	2295

1833.	Jan.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Total.
Indictments	84	80	87	86	83	61	40	75	73	83	42	45	839
Trials	46	48	49	49	45	26	47	36	50	50	38	42	526
Recognizances to answer	318	175	147	181	256	197	283	361	296	351	200	222	2987
Discharged by Grand Jury	23	42	28	42	20	12	18	13	35	25	20	23	301
Settled	8	12	10	10	3	15	10	11	15	10	7	3	114
Complaints returned	268	97	75	104	184	156	243	345	281	326	211	156	2446

1834.	Jan.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Total.
Indictments	76	57	54	61	63	56	61	69	49	57	37	76	716
Trials	38	40	33	31	34	32	36	33	31	34	19	32	393
Recognizances to answer	241	155	213	227	235	204	333	327	291	350	186	236	2988
Discharged by Grand Jury	43	21	20	17	16	22	25	19	20	7	14	6	230
Settled	9	10	2	3	5	4	3	2	12	14	4	4	72
Complaints returned	173	112	136	202	231	199	335	307	279	333	159	191	2462

1835.	Jan.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Total.
Indictments	84	69	46	35	53	59	60	54	41	46	44	51	642
Trials	46	41	40	19	32	15	37	20	22	29	26	27	354
Recognizances to answer	233	166	154	309	226	256	422	350	462	346	373	283	3580
Discharged by Grand Jury	22	12	18	18	4	15	20	3	15	7	16	7	147
Settled	6	5	0	5	2	6	3	11	7	11	13	2	71
Complaints returned	155	128	136	215	216	167	354	304	415	308	337	266	3001

1836.	Jan.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Total.
Indictments	42	76	78	42	44	43	45	38	45	43	82	92	670
Trials	22	30	30	17	28	23	10	23	17	30	37	35	302
Recognizances to answer	240	264	337	259	209	394	333	424	440	337	334	219	3790
Discharged by Grand Jury	12	12	17	14	24	10	19	22	18	9	13	13	180
Settled	8	11	5	8	3	6	2	5	7	9	1	1	66
Complaints returned	198	207	213	200	209	333	327	401	491	322	315	196	3412

1837.	Jan.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Total.
Indictments	85	48	78	42	60	46	75	91	63	84	60	70	801
Trials	38	21	37	17	38	29	43	44	29	42	28	21	387
Recognizances to answer	285	309	234	198	232	342	296	500	305	251	306	218	3476
Discharged by Grand Jury	25	27	21	10	8	13	18	16	16	27	9	17	207
Settled	4	6	11	9	9	4	2	3	2	5	5	11	71
Complaints returned	207	238	192	176	219	337	266	433	253	238	275	162	2996

1838.	Jan.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Total.
Indictments	52	58	89	33	50	65	53	100	76	96	111	84	767
Trials	46	33	35	29	25	38	17	35	39	35	39	30	401
Recognizances to answer	236	251	200	170	350	320	314	528	384	356	368	231	3708
Discharged by Grand Jury	13	9	19	17	14	28	18	18	57	26	77	78	374
Settled	1	2	0	0	2	5	8	7	20	16	12	8	81
Complaints returned	209	211	124	148	332	232	240	400	280	220	214	176	2780

1839.	Jan.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Total.
Indictments	90	56	78	60	119	84	63	119	76	100	86	77	1008
Trials	43	41	17	30	42	30	18	21	37	45	27	35	386
Recognizances to answer	269	226	202	234	296	265	289	413	368	373	233	202	3367
Discharged by Grand Jury	31	21	32	34	107	66	61	56	56	60	41	38	503
Settled	9	5	16	4	16	15	9	14	18	20	17	6	149
Complaints returned	160	164	153	172	191	142	219	256	248	219	149	130	2203

1840.	Jan.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Total.
Indictments	110	81	112	59	81	73	130	62	120	86	57	88	1059
Trials	39	42	35	49	49	35	77	19	52	20	29	34	480
Recognizances to answer	184	141	203	153	256	324	370	250	305	170	179	218	2753
Discharged by Grand Jury	40	20	28	23	34	28	32	25	53	25	20	26	354
Settled	12	16	4	3	3	8	11	7	13	6	7	1	91
Complaints returned	59	41	80	61	102	152	180	123	166	81	81	105	1238

1841.	Jan.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	October.	Nov.	Dec.	Total.
Indictments	105	62	81	89	55	46	70	63	90	78	79	53	871
Trials	28	43	57	39	40	38	20	25	59	49	44	26	468
Recognizances to answer	215	165	173	161	144	188	237	203	233	180	121	159	2179
Discharged by Grand Jury	27	34	23	20	26	35	26	29	34	27	12	19	312
Settled	6	6	4	4	00	8	5	9	7	11	4	00	64
Complaints returned	67	56	65	66	58	90	110	110	78	78	50	41	869

B.

Whole number of cases tried in the General Sessions in each year.

Years.	No. of Cases.
1830.	3022
1831.	3906
1832.	3220
1833.	3586
1834.	3408
1835.	3790
1836.	4265
1837.	4004
1838.	3921
1839.	3714
1840.	2651
1841.	2052

C.

Trials in Special Sessions.

Year.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Total.
1830	28	35	49	33	62	33	47	63	42	39	79	54	564
1831	55	44	43	32	47	48	44	63	48	66	51	43	584
1832	67	48	34	64	35	53	21	35	56	78	47	78	616
1833	53	39	37	63	36	33	77	45	91	66	49	79	668
1834	47	56	72	36	57	71	54	56	79	57	59	75	719
1835	57	46	80	55	54	66	34	81	63	35	66	23	650
1836	48	51	44	39	67	41	40	64	37	60	35	47	573
1837	69	33	35	49	72	41	69	37	36	29	46	37	553
1838	51	28	37	36	35	29	25	36	54	37	28	48	434
1839	32	22	19	17	28	55	97	61	91	58	52	81	614
1840	66	76	81	39	67	97	76	85	74	45	72	61	839
1841	52	63	89	49	94	80	89	93	119	98	102	76	1,004

D.

Whole Number of Trials in General Sessions and Special Sesions.

Years.	Gen. Sess.	Special Sess.	Whole No.
1830	537	564	1,101
1831	624	584	1,208
1832	436	616	1,052
1833	526	668	1,194
1834	393	719	1,112
1835	354	650	1,004
1836	302	573	875
1837	387	553	940
1838	401	434	835
1839	386	614	1,000
1840	480	839	1,319
1841	468	1,004	1,472

E.

Showing the whole Number of Convictions for Crimes involving Moral Turpitude.

Years.	Gen. Sess.	Special Sess.	Whole No.
1830	266	365	631
1831	351	343	694
1832	297	382	679
1833	270	339	609
1834	223	404	627
1835	218	394	612
1836	240	341	581
1837	260	340	600
1838	259	261	520
1839	220	349	569
1840	227	526	753
1841	239	666	905

F.

CONVICTIONS.

	1830	1831	1832	1833	1834	1835	1836	1837	1838	1839	1840	1841
Murder	...	...	...	...	...	1	1	...	...	2	...	1
Arson, (not capital)	...	...	...	1	...	...	1	...	...	1	1	1
Burglary	38	21	30	15	39	24	23	45	23	22	34	28
Manslaughter	4	2	...	3	3	1	4	5	2	4	3	8
Forgery	11	19	16	9	14	8	6	11	6	12	9	4
Bigamy	5	1	...	2	2	1	...	...	3	4	2	2
Robbery	1	8	1	4	3	1	6	4	2	2	6	4
Assault and Battery, with intent to kill	5	6	2	3	3	1	6	2	6	5	3	2
Grand Larceny and 2d offence	71	88	90	85	52	78	103	76	71	73	68	90
Petit Larceny	145	88	88	105	74	66	55	88	112	90	63	57
" " second offence	5	57	29	8	3	5	1	1	2	3	3	4
Receiving stolen goods	13	8	10	10	10	4	1	7	9	6	3	10
Obtaining goods or money by false pretences	3	7	6	4	5	6	1	13	3	2	6	4
Attempt to commit felony	...	12	2	3	4	1	7	2	4	4	2	7
Kidnapping	...	1										
Cruelty to animals	...	1										
Nuisance	...	1	1	3	...	...	...	...	...	...	2	13
Disorderly house	11	29	7	6	4	8	2	5	...	1	4	
Assault and Battery	90	111	74	187	72	96	75	70	80	54	104	110
Riot	14	16	4	8	11	9	12	41	1	...	8	26
Selling liquor without license	5	1	2	...	...	...	...	...	2	1	...	1
Misdemeanor	...	2	7	10	6	10	3	3	4	4	2	3
Rape, attempt to commit	1	...	...	1	...	1	...	...	...	1	1	4
Breaking prison	8	...	...	...	...	1						
Perjury	2	...	...	...	...	1	...	...	...	3	2	
Subornation of Perjury	1											
Attempt to commit arson	1											
" poison	1											
Gambling houses	5											
Libel	5	...	...	...	...	...	...	...	...	...	4	2
Conspiracy	...	...	5	...	...	...	20					
Abandonment of child	...	...	1	...	1	...	...	...	...	...	...	1
Procuring an abortion	...	...	...	...	...	...	...	...	...	...	...	2
Selling, insuring, and advertising Lottery Tickets	...	...	1	...	...	...	...	...	...	7	15	10
Violating grave	...	...	...	1								
	445	479	376	468	306	323	327	371	330	301	345	394



DOCUMENT No. 58.

BOARD OF ALDERMEN,

JANUARY 17, 1842.

Annual Report of the Public Administrator, with a statement of the Receipts and Expenditures of his Office, &c. &c., from January 1, 1841, *to January* 1, 1842. *Ordered to be printed.*

SAMUEL J. WILLIS, CLERK.

To the Common Council of the City of New York:

The Public Administrator in the City of New York, in compliance with the requisitions of the Revised Statutes of the State of New York, hereby submits a statement of the receipts and expenditures of his office, from the first day of January 1841, to the first day of January 1842, including the balances in his hands, standing to the credit of the several estates in the books of his office.

Names of Intestates whose Estates have been taken charge of by the Public Administrator or his predecessor, and which have been heretofore reported.	Addition.	Residence, or where from.	Total amount received to the credit of such estate.	Commissions charged on such estates.	Total amount of Expenditures, including Commissions, Expenses Debts, Distributions and Balances paid into the Treasury.	Balances.
James Tengrove	Grocer	New York			$361 61	
James Valeton	Merchant	do			21 02	$1,674 77
Walter Coppinger	Grocer	do	$385 46	$19 27	330 35	87 69
Elizabeth Carvine	Boarding house keeper.	do			79 03	117 79
Joseph Young	Musician	do			5 04	8 35
F. A. Heinz	Book keeper	do			8 83	
Samuel M. Briggs	Clerk	do				47 14
William Spence	Unknown	do			56 14	
John Estabrook	Merchant	do			22 05	30 29
Philip Cavanagh	Grocer	do			52 26	6 90
James Sumerau	Jeweller	do				10 92
Gustavus A. F. Dossin	Clerk	do			10 81	
Henry Corse	Mariner	do			13 60	
Peter Gassahang	Architect	New Orleans			30 59	
Dorinda Powell	Dress maker	New York			3 00	
Michael Foley	Laborer	do			57 00	
Monson Ruckel	Mariner	do			8 60	
John Francis	Waiter	do	188 69	9 43	188 69	
Roderick Farrel	Mariner	do			14 75	
Alexander Laffaitteur	Confectioner	do	39 96	1 99	195 36	16 97
William Harris	Mariner	do			0 41	
Charles Stamm	Merchant	do			14 78	
Sarah Smith	Nurse	do			17 86	
Charles Daby	Mariner	do			0 76	
Edward Carr	do	do			18 25	
William Smith	do	do			10 68	

John Reinicke	Merchant	New York			3 40	
Patrick M'Kenna	Milkman	do			177 58	
Charles Jacobson	Mariner	do			12 32	
Joseph Roach	Unknown	do			77 66	
Matilda Roach	do	do			77 66	
John M'Kown	Mariner	do			197 62	
William M'Kenzie	do	do			40 84	
Julius C. Peck	Merchant	do	121 61	3 04	2199 36	12 89
Bernard Leddy	Laborer	do			0 62	
Hannah M'Ginnes	Widow	do			0 20	
Ann Dickson	Spinster	New Orleans			0 50	
Joseph Lawton	Clerk	New York			30 50	650 14
William Seely	Mariner	do			1 27	
William Powers	Porter	do	169 21	8 46	750 79	
Robert Grierson	Jeweller	do	920 70	23 02	3241 70	306 14
William C. Wybrant	Mariner	do			38 79	
John Johnson	do	do			26 56	
Jean B. Sonnette	Merchant	Honduras	23 37	1 16	615 75	
Peter Allen	Mariner	New York			12 25	
John Baker	Unknown	do			8 48	
Margaret M'Intyre	Single woman	do			44 45	
John E. Rolloson	Boarding house keeper	do			19 00	
Sarah Adair	Widow	do			9 00	14 64
William W. Farnsworth	Agent	do	8 25	0 41	5 41	58 77
Thomas B. Plummer	Unknown	Virginia			108 17	
John Penn	do	Unknown			55 70	
James Hauvey	Mariner	New York				40 10
Hugh M'Gilligan	do	do			14 13	
Alexander Ross	Merchant	do			2 12	
William Green	Mariner	do			26 03	
James Pully	do	do			0 20	

Names of Intestates whose Estates have been taken charge of by the Public Administrator or his predecessor, and which have been heretofore reported.	Addition.	Residence, or where from.	Total amount received to the credit of such estates.	Commissions charged on such estates.	Total amount of Expenditures, including Commissions, Expenses, Debts, Distributions and balances paid into the Treasury.	Balances.
Juan M. Estrade	Merchant	Honduras			$1,551 37	
John Sheridan	Laborer	New York			57 94	
Samuel Colloms	Mariner	do			29 60	
George Barring	do	do			8 59	
Raymond Fronty	do	Unknown	$26 34	$1 31	26 34	
William M. White	do	New York			1 23	
William H. Bulkley	Lawyer	do			44 80	$76 26
Achilles Merlin	Druggist	do			8 00	
John Francis	Mariner	do			25 09	
William H. Penny	Boatman	do			11 00	42 90
Jeremiah Swane	Unknown	do			8 01	
Charles McSorley	Mariner	do			3 00	12 49
Henry Brinkmoun	Grocer	do			8 42	20 78
Bernard Roth	Shoemaker	do			62 08	3 81
James Wells	Mariner	do			3 00	19 46
William Bates	do	do			14 81	
George Jones	do	do			0 63	
Margaret McCabe	Servant	do	21 52	1 07	16 57	9 29
Gellert Rosenstein	Spinster	Germany			6 00	18 59
Ralph S. Kindley	Mariner	England			11 00	197 98
John Brown	do	New York			112 61	
George Thompson	Musician	do	29 71	1 48	29 71	
Ferdinand Maeser	Upholsterer	do			0 67	

Names of Intestates whose Estates have been taken charge of by the Public Administrator, and which have not been heretofore reported.

Guillaume Marmiche	Merchant	New Orleans	671 10	33 53	671 10		
Benjamin Perry	Mariner	New York	16 05	0 80	14 20	1	85
John Waters	.. do	.... do	11 82	0 59	11 82		
David Golds	.. do	.... do	16 78	0 75	16 78		
Anthony Bonnesset	Wine merchant	.... do	5,813 47	207 83	831 67	4,981	80
Eleanor Booth	Widow	.... do	26 16	1 30	26 16		
Henry Lagnier	Mariner	.... do	4 98	0 24	4 98		
Alexander Morrison	.. do	.... do	38 99	1 95	24 60	14	39
John B. Irwin	Physician	.... do	41 00	2 05	30 45	10	55
Dennis Dugan	Laborer	.... do	56 43	2 82	52 43	4	00
Mary Smith	Widow	.... do	27 52	1 37	43 06		
Antonio Camillus	Mariner	.... do	80 00	4 00	32 88	47	12
Harriet Lord	Single woman	.... do	11 00	.....	11 00		
Marion Allan	Widow	.... do	40 67	2 03	41 93		
Mary Ann Palmer	.....	.... do	218 78	10 93	218 78		
Luther Lunt	Mariner	.... do	7 08	0 35	7 08		
Henry Lee	.. do	.... do	8 88	0 44	8 88		
Oliver Crandall	.. do	.... do	41 56	2 07	41 56		
John Williams	.. do	.... do	12 47	0 56	12 47		
Charles Smith	.. do	.... do	35 72	1 78	35 72		
William Kruse	Merchant	.... do	30 38	.....	30 38		
James Leatherbury	Mariner	.... do	9 50	.....	9 50		
Benjamin Ringgold	Porter house	.... do	35 00	1 75	35 00		
William Brown	Manufacturer	.... do	4,011 55	162 78	253 06	3,758	49
Joseph Icard	Gentleman	.... do	.....	.....	19 38		
Edward Millard	Ship carpenter	.... do	136 85	6 84	136 85		
Mungo Currie	Clerk	.... do	10 00				
Joseph Worden	Mariner	.... do	22 05	1 10	22 05		

Names of Intestates whose Estates have been taken charge of by the Public Administrator or his predecessor, and which have not been here.ofore reported.	Addition.	Residence, or where from.	Total amount received to the credit of such estates.	Commissions charged on such estates.	Total amount of Expenditures, including Commissions, Expenses, Debts, Distributions and Balances paid into the Treasury.	Balances.
John Steffans	Mariner	New York	$28 40	$1 42	$ 24 63	$ 3 77
Jose Peregra	.. do	Unknown	67 05	3 35	32 75	34 30
John Tate	Gentleman	New York	.....	.....	7 88	
Gabriel Harris	Mariner	.... do	48 97	2 49	48 97	
John Williams	.. do	Philadelphia	87 41	4 37	87 41	
John Henry	.. do	New York	30 20	1 51	25 91	4 29
Frederick Hans	Unknown	Louisville, Ky.	121 40	6 07	71 70	49 70
Valentine Zeigelor	... do	ncinnati, Ohio	16 01	0 80	16 01	
William B. H. Prindall	Sail maker	New York	9 00	0 45	12 35	
Peter Murphy	Gentleman	.... do	1,897 88	.....	1,897 88	
Henry Steerman	Mariner	Bremen	114 40	5 72	34 60	79 80
George Rowell	.. do	New York	24 71	1 23	20 26	4 45
Albert Ferdinand	.. do	.... do	22 15	1 10	13 50	8 65
William Harvey	.. do	.... do	14 25	0 71	13 11	1 14
Samuel Huggins	.. do	.... do	10 59	0 52	4 42	6 17
Simeon Cumings	Gentleman	Batavia, N. Y.	85 00	.....	85 00	
George Newman	Mariner	New York	2 00	.....	3 00	
John Francis	.. do	.... do	74 35	3 71	21 11	53 24
William Dewees	.. do	.... do	15 89	0 70	15 89	
John Dent	Merchant	Philadelphia	.....	.....	12 88	
George Cengoli	Chemist	New York	139 22	6 96	95 52	43 70
Christian Dean	Mariner	.... do	19 20	0 96	23 23	
Patrick Donohoe	nknown	.... do	4 34	.....	4 34	
John F. Sickvert	Mariner	.... do	.....	.....	31 40	
Thomas Bascom	.. do	.... do	21 75	1 08	21 35	40
James J. Clement	.. do	Philadelphia	52 97	2 64	52 97	

John Hall	Mariner	New York	139 12	6 95	39 83	99 29	
Frederick Wirthensohn	Unknown	Germany	364 04	18 20	52 58	311 46	
William P. Dobson	Clerk	New York	21 49	1 07	11 47	10 02	
Israel P. Smith	Mariner	do	18 66	0 93	13 83	4 83	
Simeon M. Lefever	Unknown	do	33 92	1 69	33 92		
John Street	Mariner	do	18 77	0 93	18 77		
John V. Bormeth	Jeweller	do	96 89	4 84	80 22	16 67	
Diana Dubois	Servant	do	320 82	16 04	121 92	198 90	
Lewis Somers	Clerk	do	51 37	2 56	46 37	5 00	
John Atkinson	Carpenter	do	82 98	4 14	43 02	39 96	
Joseph Leo Wolf	Merchant	do	1,957 88	97 89	874 55	1,083 33	
John Ritter	Unknown	Germany	22 07	1 10	20 00	2 07	
William Burrows	do	New York	32 43	1 62	16 02	16 41	
T. George Harrison	do	do	18 66	0 93	16 33	2 33	
William Richardson	Mariner	do	13 54	0 67	13 07	47	
David Peabody	Unknown	do	19 43	0 97	17 37	2 06	
Ignes Pogatschaig	Furrier	do	18 76	0 93	16 58	2 18	
James Perm	Clothes dresser	do	307 37	15 36	70 30	237 07	
John Roberson	Mariner	do	3 50	0 17	3 50		
Solomon Lobenhart	Pedler	do	.....	.....	9 40		
Jacob Wirtz	Victualler	do	1,740 26	87 01	715 66	1,024 60	
George A. Reinhard	Emigrant	Germany	16 77	0 83	10 98	5 79	
John White	Mariner	New York	33 48	1 67	18 07	15 41	
James Ward	do	do	25 44	1 27	19 67	5 77	
Daniel Driscoll	Laborer	do	336 92	16 84	50 72	286 20	
Edward C. Davis	Segar maker	do	43 63	2 18	43 63		
Thomas Johnson	Mariner	do	14 36	0 71	14 36		
Lucius Kirtland	Baker	do	350 25	17 51	347 18	3 07	
James T Moore	Painter	do	679 63	33 98	204 54	475 09	
Eli Curtis	Mariner	do	25 00	.....	25 00		
Benjamin W. Russell	do	do	.....	.....	5 00		

Names of Intestates whose Estates have been taken charge of by the Public Administrator or his predecessor, and which have not been heretofore reported.	Addition.	Residence, or where from.	Total amount received to the credit of such estates.	Commissions charged on such estates.	Total amount of Expenditures, including Commissions, Expenses, Debts, Distributions and Balances paid into the Treasury.	Balances.
Francis G. Read	Millwright	St. Marks	$501 24	-------	$501 24	
Frederick Rhoda	Mariner	New York	163 33	$8 16	45 79	$117 54
William Concklin		do	140 00	7 00	135 34	4 66
Jean C. Benisson	Unknown	do	-------	-------	50	
John Dubask	Mariner	do	25 10	1 25	18 15	6 95
Catharine Thirst	Single woman	do	-------	-------	24 40	
Eusebe Kaiffer	Comedian	do	-------	-------	31 83	
William H. Rolph	Clerk	New Orleans	9 00	0 45	20 35	
Carl Schmidtman	Furrier	New York	-------	-------	33 88	
John Finck	Mariner	do	10 76	0 53	7 93	2 83
John Joy	do	do	-------	-------	2 40	
Francis Graham	do	do	-------	-------	2 90	
Isaac Mory	Merchant	New Orleans	-------	-------	2 90	
Charles Hall	Mariner	New York	9 72	0 48	8 38	1 34
William Wallace	do	do	-------	-------	2 25	
John Morrell	do	New Orleans	-------	-------	47 38	
Christopher Light	Grocer	New York	190 83	9 54	53 42	137 41
Alexander Brown	Unknown	do	-------	-------	3 50	
John P. Hottjie	Mariner	do	37 12	1 85	24 60	12 52
Anson Cole	do	do	22 00	1 10	8 42	13 58
William Lane	Waiter	do	-------	-------	5 75	
Peter Thompson	Mariner	do	18 65	0 93	3 93	14 72
James March	Unknown	do	319 25	15 96	26 96	292 29

ELISHA MORRILL, *Public Administrator.*

New York, December 31, 1841.

State of New York,
City and County of New York, ss.:

ELISHA MORRILL, Public Administrator of the City of New York, being duly sworn, says, that the foregoing account, by him subscribed, is just and true, to the best of his knowledge and belief; and that the same exhibits a true account of the monies received by him for commissions and expenses, and of the total amount of his receipts and expenditures, in each case in the said account named, according to the provisions of the Revised Statutes of the State of New York, during the year ending the thirty-first day of December, one thousand eight hundred and forty-one.

ELIJAH H. KIMBALL,
Alderman of the Fifteenth Ward, City of New York, and Counsellor at Law in the Supreme Court.

PUBLIC ADMINISTRATOR'S

ACCOUNT

OF

Commissions and Balances paid to the City Treasurer, for the year ending December 31, 1841.

Names.	Amounts received.	Commissions.	Amounts paid Treasurer.	Amounts charged to Corporation.
James Tengrove	.....	.....	$361 61	
Walter Coppinger	$385 46	$19 27		
F. A. Heinz	.....	.....	8 83	
Gustavus A. F. Dossin	.....	.....	7 81	
Henry Corse	.....	.....	7 60	
Peter Gassahang	.....	.....	25 59	
Dorinda Powell	.....	.....	1 00	
Michael Foley	.....	.....	46 00	
Monson Ruckel	.....	.....	5 60	
John Francis (black)	188 69	9 43		
Roderick Farrel	.....	.....	5 75	
Alexander Laffaitteur	39 96	1 99		
Charles Stamm	.....	.....	5 78	
Sarah Smith	.....	.....	8 86	
Edward Carr	.....	.....	9 25	
William Smith	.....	.....	3 18	
Patrick M'Kenna	.....	.....	166 58	
Charles Jacobson	.....	.....	1 32	
Joseph Roach	.....	.....	66 66	
Matilda Roach	.....	.....	66 66	
William M'Kenzie	.....	.....	29 84	
Julius C. Peck	121 61	3 04		
William Powers	169 21	8 46	695 33	
Robert Grierson	920 70	23 02		
William C. Wybrant	.....	.....	25 79	
John Johnson	.....	.....	17 56	
Jean B. Sonnette	23 37	1 16	286 10	
Amounts carried forward ..	$1,849 00	$66 37	$1,853 20	

Names.	Amounts received.	Commissions.	Amounts paid Treasurer.	Amounts charged to Corporation.
Amounts brought forward..	$1,849 00	$66 37	$1,853 20	
Peter Allen.....	.....	.....	3 25	
Margaret M'Intyre.....	.....	.....	33 45	
William W. Farnsworth....	8 25	0 41		
John Penn	.....	.....	44 70	
William Green.....	.....	.....	17 03	
John Sheridan	.....	.....	46 94	
Samuel Colloms	.....	.....	20 10	
George Barring	.....	.....	5 09	
Raymond Fronty	26 34	1 31	7 57	
John Francis	.....	.....	15 59	
Jeremiah Swane	.....	.....	5 01	
Michael Burke	.....	.....	.....	$67 35
Margaret McCabe	21 52	1 07		
John Brown	.....	.....	101 61	
George Thompson	29 71	1 48		
John Patterson	.....	.....	.....	1 46
Guillaume Marmiche	671 10	33 55		
Benjamin Perry	16 05	0 80		
John Waters	11 82	0 59		
David Golds	16 78	0 75		
Anthony Bonnesset	5,813 47	207 83		
Eleanor Booth	26 16	1 30		
Henry Lagnier	4 98	0 24		
Alexander Morrison	38 99	1 95		
John B. Irwin	41 00	2 05		
Dennis Dugan	56 43	2 82		
Mary Smith	27 52	1 37		
Antonio Camillus	80 00	4 00		
Marion Allan	40 67	2 03		
Mary Ann Palmer	218 78	10 93		
Luther Lunt	7 08	0 35		
Henry Lee	8 88	0 44		
Oliver Crandall	41 56	2 07		
John Williams	12 47	0 56		
Charles Smith	35 72	1 78		
Benjamin Ringgold	35 00	1 75		
William Brown	4,011 55	162 79		
Edward Millard	136 85	6 84		
Joseph Worden	22 05	1 10		
John Steffans	28 40	1 42		
Jose Peregra	67 05	3 35		
Gabriel Harris	48 97	2 49		
John Williams	87 41	4 37		
John Henry	30 21	1 51		
Frederick Hans	121 40	6 07		
Amounts carried forward ..	$13,693 17	$537 74	$2,153 54	$68 81

Names.	Amount received.	Commissions.	Amounts paid Treasurer.	Amount charged to Corporation.
Amounts brought forward.	$13,693 17	$537 74	$2,153 54	$68 81
Valentine Zeigelor	16 01	0 80		
William B. H. Prindall	9 00	0 45		
Henry Steerman	114 40	5 72		
George Rowell	24 71	1 23		
Albert Ferdinand	22 15	1 10		
William Harvey	14 25	0 71		
Samuel Huggins	10 59	0 52		
John Francis	74 35	3 71		
William Dewees	15 89	0 70		
George Cengoli	139 22	6 96		
Christian Dean	19 20	0 96		
Thomas Bascom	21 75	1 08		
James J. Clement	52 97	2 64		
John Hall	139 12	6 95		
Frederick Wirthensohn	364 04	18 20		
William P. Dobson	21 49	1 07		
Israel P. Smith	18 66	0 93		
Simeon M. Lefever	33 92	1 69		
John Street	18 77	0 93		
John V. Bormeth	96 89	4 84		
Diana Dubois	320 82	16 04		
Lewis Somers	51 37	2 56		
John Atkinson	82 98	4 14		
Joseph Leo Wolf	1,957 88	97 89		
John Ritter	22 07	1 10		
William Burrows	32 43	1 62		
T. George Harrison	18 66	0 93		
William Richardson	13 54	0 67		
David Peabody	19 43	0 97		
Ignes Pogatschaig	18 76	0 93		
James Perm	307 37	15 36		
John Roberson	3 50	0 17		
Jacob Wirtz	1,740 26	87 01		
George A. Reinhard	16 77	0 83		
John White	33 48	1 67		
James Ward	25 44	1 27		
Daniel Driscoll	336 92	16 84		
Edward C. Davis	43 63	2 18		
Thomas Johnson	14 36	0 71		
Lucius Kirtland	350 25	17 51		
James T Moore	679 63	33 98		
Frederick Rhoda	163 33	8 16		
William Concklin	140 00	7 00		
John Dubask	25 10	1 25		
William H. Rolph	9 00	0 45		
Amounts carried forward.	$21,347 53	$920 17	$2,153 54	$68 81

Names.	Amount received.	Commissions.	Amount paid Treasurer.	Amount charged to Corporation.
Amounts brought forward.	$21,347 53	$920 17	$2,153 54	$68 81
John Finck	10 76	0 53		
Charles Hall	9 72	0 48		
Christopher Light	190 83	9 54		
John F. Hottjie	37 12	1 85		
Anson Cole	22 00	1 10		
Peter Thompson	18 65	0 93		
James March	319 25	15 96		
	$21,955 86	$950 56	$2,153 54	$68 81

New York, December 31, 1841.

ELISHA MORRILL,

Public Administrator.

DR. *Corporation of the City of New York, in Account with* ELISHA MORRILL, *Public Administrator.* CR.

1841.				1841.		
Jan.	23.	To cash paid publishing yearly account in Standard for 1840	$170 00	Dec. 31.	By Commissions on various Estates, for the year 1841	$950 56
Feb.	4.	To cash paid O. R. Kingsbury, office rent due 1st instant	31 25			
March	5.	To cash paid Hoffman & White, publishing yearly account in state paper, for 1840	69 00			
April	24.	To cash paid for half ton coal for office.	4 50			
May	7.	To cash paid O. R. Kingsbury, office rent due 1st instant	31 25			
July	9.	To cash paid for Directory, 1841-2	3 50			
Aug.	7.	To cash paid O. R. Kingsbury office rent due 1st instant	25 00			
Nov.	3.	do do do do	25 00			
Dec.	10.	To cash paid for one ton coal	8 50			
"	10.	do do do load wood	3 00			
"	13.	To cash paid serving 500 copies extract Revised Statutes on boarding houses, taverns &c., at 8 cents each	40 00			
"	28.	To cash paid amount balances on estates where the expenses were more than property found	68 81			
"	31.	To cash paid C. W. Lawrence, City Treasurer, balance of Commissions	470 75			
			$ 950 56			$950 56

DOCUMENT No. 59.

BOARD OF ALDERMEN,

JANUARY 24, 1842.

Report of the Law Committee, recommending an Ordinance further to amend an Ordinance entitled "Of Streets and Roads." Laid on the table and ordered printed.

SAMUEL J. WILLIS, CLERK.

The Committee on Laws, &c., to whom was referred the papers from the Board of Assistant Aldermen, relative to a further ordinance for the prevention of accidents in the public streets, respectfully

REPORT:

That they have attentively examined and considered the subject referred to them, and recommend the adoption of the annexed ordinance, as a substitute for the one passed by the Board of Assistant Aldermen. The reasons for the passage of this ordinance appear very manifest from the reading of the ordinance itself.

Respectfully submitted.

C. S. WOODHULL,
EDW. S. INNES.

AN ORDINANCE

FURTHER TO AMEND AN ORDINANCE ENTITLED "OF STREETS AND ROADS," PASSED MAY 9, 1839.

The Mayor, Aldermen and Commonalty of the City of New York, do ordain as follows:

§ 1. It shall be the duty of every person or persons engaged in digging down any road or street, in paving any street, building any sewer or drain, trench for water pipes, or digging and building a well in any of the public roads, streets or avenues, under contract with the Corporation of this City, made through either or any of the departments of the said Corporation, or by virtue of any permission which may have been granted to them by the Mayor and Common Council, or either of the said departments, or by the Aldermen and Assistants of the respective wards, or either of them, where such work, if left exposed, would be dangerous to passengers, to erect a fence or railing at such excavations or work, in such manner as to prevent danger to passengers who may be travelling such streets, roads or avenues, and to continue and uphold the said railing or fence until such work shall be completed, or the obstruction or danger removed. And it shall also be the duty of such persons to place upon such railing or fence, at twilight in the evening, suitable and sufficient lights, and keep them burning through the night, during the performance of the said work, under the penalty of two hundred and fifty dollars for every neglect.

§ 2. The provisions of the preceding section shall apply to every person who shall place building materials in any of the public streets or avenues, or be engaged in building any vault or constructing any lateral drain from any cellar to any public sewer, or who shall do or perform any work

causing obstructions in the public streets, by virtue of any permit from the Street Commissioner's Department, or the Alderman and Assistant of the ward in which such work shall be performed; and also to all public or Corporation Officers engaged in performing any work in behalf of the Corporation, whereby obstructions or excavations shall be made in the public streets.

§ 3. The extent to which such railing or fence should be built in the several cases, are hereby defined as follows to wit:

In digging down any street or road, by placing the same along the upper bank of said excavation, or by extending the fence so far across the street or road as to prevent persons from travelling on such portion as would be dangerous. In paving any street or avenue, by extending it across the carriageway of such street or avenue, or if but a portion of the width of such carriageway be obstructed, across such portion, in which case the obstructions shall be so arranged as to leave a passageway through, as nearly as may be, of uniform width.

In the building of a sewer, by placing it across the carriageway at the ends of such excavations as shall be made.

In the building of a well by enclosing the same, and the obstructions connected therewith on one or more sides.

In building vaults, by enclosing the ground taken for the vaults.

In placing building materials in the streets, by placing it across so much of the street as shall be occupied by such materials, and the materials shall be so placed as to occupy a space of uniform width. In all cases sufficient lights are to be placed upon such building materials, fences or railings, and kept burning during the night, as provided by preceding sections.

§ 4. In all cases where any person or persons shall perform any of the work mentioned in the preceding sections, either under contracts with the Corporation, or by virtue of

permission obtained from the Mayor and Common Council, or either of the departments, or the Aldermen and Assistants of the respective wards, such persons shall be answerable for any and every damage which may be occasioned to persons, animals or property, by reason of carelessness in any manner connected with the said work.

§ 5. It shall be the duty of the Superintendent of Roads to see that the requirements contained in this Ordinance, in regard to the erection of fences and placing lights in all cases of constructing or repairing the public roads, be complied with.

The same shall be the duty of the Inspector of Pavements in all cases of regulating and paving streets and building sewers.

The same shall be the duty of the Superintendent of Wells and Pumps, in all cases of digging and building wells, severally, under the penalty of fifty dollars for each and every neglect.

§ 6. It shall also be the duty of the Street Inspector of the respective wards in which any of the work referred to in any of the preceding sections shall be performed, whether for digging down streets or roads, paving streets, building sewers and building wells or digging trenches for water pipes by persons under contracts with the Corporation, or for building vaults or placing building materials in the streets, or constructing drains or any other work forming an obstruction to the said streets, by virtue of permission obtained from the Street Commissioner's Department, or the Alderman or Assistant of the ward, to see that the requirements of this ordinance in regard to erecting the necessary fences and the placing of the necessary lights, be complied with, and to make the necessary complaint to the Corporation Attorney, for any omission on the part of the persons referred to, under the penalty of fifty dollars for every neglect.

DOCUMENT No. 60.

BOARD OF ALDERMEN,

JANUARY 24, 1842.

Annual Report of the City Inspector, of the number of Interments in the City of New York, for the year 1841. *Ordered on file and to be printed.*

SAMUEL J. WILLIS, CLERK.

To the Honorable the Common Council:

THE undersigned presents the Annual Report of Interments in the City and County of New York, for the year one thousand eight hundred and forty-one.

WILLIAM A. WALTERS,
City Inspector.

THE INTERMENTS WERE IN THE FOLLOWING BURIAL GROUNDS.

African	167
Associate	25
Baptist	153
Catholic	3,088
Dutch Reformed	341
Friends	77
German	173
Hebrew	75
Marble Cemeteries	221
Methodist	1,619
Moravian	2
Presbyterian	1,085
Protestant Episcopal	397
Potters Field	1,692

FROM THE RETURNS THERE DIED AT THE

Alms House, Bellevue	202
Alms House, Hospital	505
Penitentiary Hospital, Blackwell's Island	111
Small Pox Hospital	26
Long Island Farms and Hospital	101
Lunatic Asylum, Blackwell's Island	31
City Prison	12
New York Hospital	148
Orphan Asylum	2
Long Island	49
Westchester County	28
New Jersey	55
Lying-in Asylum	7

REMARKS.

The report of interments for the year 1841, presents but little variety from that of the year 1840.

The deaths during the year were 520 more than in the year preceding. This increase has not been caused by the prevalence of either epidemic or contagious disease, and is not proportionally larger than the increase of population. The number of interments within the City during the year, including 584 stillborn infants, was 9,115. Of these, 4,851 were males, and 4,264 were females. Of the males, 4,587 were white, and 264 were colored. Of the females, 3,977 were white, and 287 were colored. The tables, while they show an increase of deaths for the year, exhibit a difference of mortality in certain classes of disease compared with those of the year preceding. The deaths from diseases of the respiratory organs, of the digestive organs, and from disease of the brain and nervous system, have increased; whilst those from eruptive fevers, from diseases of the heart, and those classed as casualties and unknown diseases, were less than in the year preceding. The deaths from diseases of the organs of respiration, were 302 more than in the year 1840; and were nearly equal to one-third of all the deaths. The most frequent in this class, are Inflammation of the Lungs and their membranes, and Consumption. The deaths from Consumption were 1,470, an increase of 174 during the year. Of these, 93 males, and 86 females, were under five years old. The liability to death from this disease, varies among the different classes of our population. Thus, among the native whites it is as 1 to 9: among those of foreign birth as 1 to 3; and among colored persons, as 1 to $3\frac{1}{3}$. Of the deaths by Consumption of persons over 10 years old, 647 were native born, including colored persons; and 644 were of foreign birth. Of the whole number of deaths by Con-

sumption, 673 were white males, 642 were white females, 59 were colored males, and 96 were colored females. Between the ages of 15 and 30 more females than males die of Consumption, and after the age of 30, more males than females. The months in which the greatest mortality occurred from this disease, were January and December.

Eruptive fevers have prevailed to less extent during the past year, and the mortality from this class of diseases has diminished 131 during the year. The decrease was as follows:—On Small Pox, 23; Scarlet Fever, 25; Measles, 73. Of the 208 persons that died of Small Pox, 33 were children under one year old; 30 were between 1 and 2 years, and 53 between 2 and 5 years, showing that 116 or more than one-half of all the deaths by this disease, were of children under five years old; 22 of the deaths were of colored persons, and 10 were of foreign birth. The deaths from Erysipelas have increased from 46, in 1840, to 94, in 1841. The deaths from diseases of the digestive organs have increased 202 during the past year. The principal diseases of this class, are Inflammation of the Bowels, Diarrhœa, Marasmus and Cholera Infantum. The mortality from the latter disease is steadily on the increase in this city, amounting, in 1841, to 452 deaths, an increase of 81 during the year. The deaths from fevers were 458, an increase of 132 during the year. The mortality from fevers was greater than in any year for many preceding years. The increase of deaths was as follows:—On Bilious Fever, 17; Remittent, 54; Typhoid, 12; and Typhus, 49. Of the 4,060 deaths occurring in persons over 10 years old, 1,877, including the deaths of colored persons, were natives of the United States; 2,040 were of foreign birth, and in 143 the nativity was unknown, showing that more than one-half of all the deaths, were of persons born in foreign countries. The greater liability of foreigners to many diseases, has been noticed in former reports, and is strikingly exhibited in the report of the present year in Consumption, Palsy, Apoplexy, Insanity, Organic Disease of the Heart, and

in Typhus and Bilious Fevers. Of the deaths by old age, 70 of the 140 were of foreign birth. Of the deaths classed under Childbed, Puerpural Fever, Peritonitis, and Diseases of the Womb, 62 were in natives of the United States, and 62 were of persons born in foreign countries. The mortality among children under five years old was not so great during the past year as in the year preceding. In 1840, 3,976, or 51½ per cent. of all the deaths, excluding stillborn infants, were of children under that age; while in 1841, 4,149, or 48½ per cent. were children under the same age. It will be seen by the tables that the deaths of white males, exceed those of white females 610. This inequality of the deaths of the two sexes is exhibited in almost every disease. The annual rate of mortality in the City for the past year, including deaths from all causes, was about 1 in 37 of the white population. This estimate does not include stillborn infants. The number of these, was 584; white males, 318; white females, 228; colored males, 18; colored females, 20; or, 88 more males than females, and 22 less than in the preceding year. The greatest number of interments occurred in the month of August, and the fewest in the month of June. Of the interments included in this report, 808 of the deaths occurred in the Alms House Establisment, 168 in the Penitentiary, 148 in the New York Hospital, and 181 were of persons that died in the country, and were brought to this City for burial. More than one-third of all the interments were in the Catholic burial grounds. Persons that die in the City and are removed to the country for burial, are not included in this report. The exact number of these cannot be ascertained, the present law not requiring such to be reported.

Respectfully submitted.

WILLIAM A. WALTERS,
City Inspector.

ANNUAL REPORT OF INTERMENTS,

IN THE CITY AND COUNTY OF NEW YORK, FOR THE YEAR 1841,

Commencing with the first day of January, and ending with the thirty-first day of December;

SHOWING THE NUMBER OF INTERMENTS WHICH OCCURRED IN EACH MONTH:

Distinguishing, also, the Sex, Color, Age, and Nativity of the Deceased.

DISEASE.	SEX.				TIME OF DECEASE.												NUMBER OF EACH SEX.		AGE.															NATIVITY.								TOTAL.
	Males.		Females																																					
	White.	Black.	White.	Black.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Males.	Females.	Under 1 year.	1 year to 2.	2 to 5.	5 to 10.	10 to 20.	20 to 30.	30 to 40.	40 to 50.	50 to 60.	60 to 70.	70 to 80.	80 to 90.	90 to 100.	100 and upwards.	Unknown.	United States.	Ireland.	England.	Germany.	Scotland.	France.	Other Countries.	Unknown.	
Abscess	14	...	...	...	1	...	...	...	1	1	4	2	2	2	1	...	14	...	2	1	...	1	2	2	2	3	...	1	...	...	...	...	...	8	3	2	1	...	...	...	...	23
"	...	...	9	...	...	3	...	3	1	1	...	1	...	...	...	...	...	9	...	1	...	2	1	1	1	3	...	...	...	...	...	...	...	7	1	...	...	...	...	1	...	...
Aneurism	10	1	...	...	...	1	1	2	2	...	1	...	1	2	1	...	11	...	...	...	1	...	...	1	4	3	2	...	...	...	...	...	...	7	2	1	1	...	...	...	...	11
Asthma	11	...	...	...	2	1	1	...	1	...	1	1	...	2	1	1	11	...	...	1	...	1	...	...	2	2	2	1	2	...	...	...	...	5	5	1	...	...	...	...	...	17
"	...	...	5	1	...	...	3	...	1	...	...	...	1	...	1	...	...	6	1	...	...	...	...	...	2	...	...	1	1	1	...	...	...	2	1	3	...	...	...	...	...	...
Apoplexy	65	5	...	...	4	5	2	7	7	3	5	5	9	5	9	9	70	...	1	1	1	...	3	6	17	15	10	7	7	2	...	...	...	31	16	9	2	4	2	3	3	135
"	...	...	58	7	6	7	1	3	5	8	4	4	6	9	5	7	...	65	1	...	...	1	1	12	12	10	7	12	3	5	...	1	...	30	22	7	1	2	..	2	1	...
Bleeding	14	...	...	...	1	1	1	2	1	...	1	2	2	1	1	1	14	...	3	1	...	...	...	4	1	4	1	...	...	...	...	...	...	7	3	1	1	...	1	..	1	19
"	...	...	5	...	...	1	...	...	...	1	1	1	...	...	1	...	...	5	2	...	...	...	1	...	1	...	1	...	...	...	...	...	...	4	1	..	...	...	...	1	...	...
Bladder, Inflammation of	7	...	...	...	...	...	...	1	...	...	2	1	1	2	...	...	7	...	...	...	...	1	...	3	3	...	...	...	...	...	...	...	...	1	2	2	1	...	...	1	1	11
" "	...	...	4	...	1	1	...	...	...	...	...	...	...	...	...	2	...	4	...	...	...	...	...	...	1	...	2	...	...	1	...	...	...	2	...	...	1	...	...	...	...	...
Bowels, Constipation of	1	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	4
" "	...	...	3	...	1	...	...	1	...	1	...	...	...	...	...	...	...	3	...	...	...	...	...	2	...	1	...	...	...	...	...	...	...	1	1	1	...	...	...	...	...	...
Bowels, Inflammation of	101	2	...	...	8	9	6	3	6	8	8	17	9	12	9	8	103	...	27	13	12	1	6	6	18	10	4	4	...	...	...	...	2	71	14	7	4	3	..	3	1	226
" "	...	...	118	5	9	10	14	12	8	5	9	12	15	9	9	11	...	123	27	12	11	9	4	21	21	8	4	2	2	2	...	...	...	81	23	7	10	...	1	1	...	...
Bowels, Ulcers of	1	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	1	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	4
" "	...	...	3	...	1	...	1	...	...	...	1	...	...	...	...	...	...	3	...	...	1	...	1	...	...	1	...	...	...	...	...	...	...	3	...	...	...	...	...	...	...	...

Brain, Congestion of	70	2	...	...	6	6	5	2	10	3	6	8	6	8	3	9	72	...	8	14	10	3	1	4	12	14	2	4	...	...	...	...	...	51	8	6	3	1	1	..	2	123
" "	...	...	47	4	3	2	5	2	8	5	5	5	1	7	4	4	...	51	10	8	6	4	2	5	3	8	3	1	1	..	..	..	..	46	1	1	...	2	..	..	1	...
Brain, Dropsy of	186	7	...	...	14	14	18	13	8	15	23	20	25	13	17	13	193	...	71	61	41	16	...	2	1	1	...	...	...	...	...	...	...	191	2	...	...	...	...	...	...	385
" "	...	...	187	5	16	17	11	13	15	9	25	27	16	17	11	15	...	192	66	60	49	10	4	3	...	...	...	...	...	...	...	...	...	190	2	...	...	...	...	...	...	...
Brain, Inflammation of	86	7	...	...	9	7	12	7	7	9	7	9	8	9	5	4	93	...	17	12	17	7	10	12	7	6	3	...	1	1	...	...	...	76	8	3	2	2	1	1	..	165
" "	...	...	70	2	8	5	7	5	5	8	12	7	6	2	3	4	...	72	20	8	12	2	7	10	6	6	1	...	...	...	...	...	...	58	5	5	2	...	1	1	..	...
Bronchitis	38	5	...	...	3	5	5	4	1	3	3	1	3	4	6	5	43	...	6	4	5	1	...	2	4	5	5	7	3	1	...	...	...	29	7	...	5	1	1	..	..	78
"	...	...	33	2	1	5	1	3	5	1	2	3	1	5	1	7	...	35	6	6	8	...	...	3	1	3	2	2	3	1	...	...	...	28	5	2	...	...	...	...	...	...
Cancer	10	1	...	...	...	1	3	1	1	1	1	...	1	...	1	1	11	...	1	...	...	1	...	2	...	2	2	2	1	...	...	...	...	6	4	...	1	...	...	...	...	33
"	...	...	21	1	...	4	3	3	1	2	2	1	2	2	1	1	...	22	...	2	1	1	1	1	3	4	2	4	3	...	...	...	...	17	4	...	1	...	...	...	...	...
Childbed	...	...	26	...	...	...	7	1	2	2	3	1	2	4	3	1	...	26	...	...	...	...	...	8	11	6	1	...	...	...	...	...	...	12	10	1	3	...	...	...	...	26
Cholera Infantum	222	6	...	...	1	...	...	...	2	4	53	79	61	22	4	2	228	...	113	99	16	...	...	...	...	...	...	...	...	...	...	...	...	225	1	...	1	...	...	1	..	452
" "	...	...	222	2	...	1	...	1	1	4	40	104	54	15	4	...	...	224	123	91	10	...	...	...	...	...	...	...	...	...	...	...	...	222	1	1	...	...	...	...	...	...
Cholera Morbus	13	...	...	...	1	...	1	...	...	3	3	4	1	...	...	...	13	...	...	...	1	1	3	1	3	1	...	1	2	...	...	...	...	4	5	2	...	...	...	1	1	24
" "	...	...	11	...	...	...	...	...	...	2	1	6	1	...	1	...	...	11	...	2	...	...	1	1	3	3	1	...	...	...	...	...	...	7	2	...	...	...	2	..	..	...
Chest, Inflammation of	38	4	...	...	3	5	4	4	3	2	...	2	2	...	6	11	42	...	18	7	8	...	...	6	...	1	...	1	1	...	...	...	...	36	4	...	...	...	1	1	..	64
" "	...	...	19	3	2	3	2	2	...	...	...	1	1	3	4	4	...	22	6	2	5	1	...	2	3	...	1	1	1	...	...	...	...	16	2	2	1	...	..	1	..	...
Chest, Dropsy of	47	3	...	...	5	4	4	4	3	2	5	5	2	5	6	5	50	...	4	1	6	2	3	6	8	7	5	3	2	3	...	...	...	28	7	7	2	...	3	3	..	82
" "	...	...	31	1	4	2	1	2	5	2	...	3	2	4	4	3	...	32	4	...	5	...	4	3	3	2	4	5	1	1	...	...	...	20	6	3	...	...	...	...	3	...
Colic	11	...	...	...	2	2	...	...	...	...	...	2	3	...	2	...	11	...	1	...	...	...	1	3	2	1	1	2	...	...	...	...	...	6	...	1	3	...	...	1	..	14
"	...	...	3	...	1	...	...	...	...	...	...	1	...	...	1	...	...	3	1	...	...	...	...	...	...	1	...	...	...	...	...	...	1	2	...	1	...	...	...	...	...	...
Consumption	673	59	...	...	66	65	72	65	74	52	48	47	39	62	51	91	732	...	25	26	33	9	39	163	175	131	70	49	9	2	...	...	1	370	256	41	32	13	5	12	3	1470
"	...	...	642	96	94	68	70	66	65	43	42	50	57	71	44	68	...	738	24	27	25	10	70	228	167	100	44	26	16	...	...	...	1	456	213	20	24	6	6	3	10	...
Convulsions	304	12	...	...	14	23	35	37	25	16	36	24	34	24	21	27	316	...	228	44	32	10	2	...	...	...	...	...	...	...	...	...	...	312	...	...	4	...	...	...	...	565
"	...	...	239	10	28	21	19	16	14	22	26	28	21	19	15	20	...	249	183	41	20	5	...	...	...	...	...	...	...	...	...	...	...	249	...	...	...	...	...	...	...	...
Croup	64	4	...	...	8	6	7	2	9	1	3	5	6	5	8	8	68	...	16	13	34	5	...	...	...	...	...	...	...	...	...	...	...	68	...	...	...	...	...	...	...	120
"	...	...	52	...	10	7	8	2	2	...	2	...	3	4	8	6	...	52	15	7	26	2	2	...	...	...	...	...	...	...	...	...	...	50	1	...	...	...	1	...	...	...
Delirium Tremens	56	1	...	...	6	2	10	7	4	4	2	3	3	8	2	6	57	...	...	...	...	...	...	14	25	13	3	1	...	...	...	...	1	26	21	2	2	1	..	2	3	66
" "	...	...	7	2	1	...	...	1	1	1	2	...	2	...	1	...	...	9	...	...	...	...	...	...	5	2	1	1	...	...	...	...	...	5	1	2	...	...	...	...	1	...
Diabetes	3	...	...	...	...	...	1	...	...	...	...	1	...	1	...	...	3	...	...	...	...	...	1	...	1	...	...	...	1	...	...	...	...	2	1	...	...	...	...	...	...	4
"	...	...	1	...	...	...	...	...	...	...	...	...	1	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	1	...
Diarrhœa	61	4	...	...	...	3	4	1	5	1	5	13	11	10	6	6	65	...	10	14	7	...	...	6	9	6	6	6	...	...	...	...	1	47	6	4	3	3	..	1	1	130
"	...	...	59	6	2	4	1	...	1	1	9	19	9	11	4	4	...	65	15	14	4	...	...	8	5	4	4	4	4	2	1	...	...	46	7	4	2	5	..	1	..	...
Dropsy	76	5	...	...	7	4	7	8	6	12	3	8	6	11	2	7	81	...	2	2	9	8	5	17	12	7	9	5	3	2	...	...	...	42	24	4	6	1	..	1	3	151
"	...	...	66	4	7	2	5	3	1	4	5	7	10	6	8	12	...	70	2	1	4	4	5	6	20	10	7	9	1	1	...	...	...	36	20	1	5	2	4	..	2	...
Dysentery	100	4	...	...	2	2	1	2	1	3	18	28	25	14	5	3	104	...	26	31	15	3	1	5	8	6	4	3	1	1	...	...	...	86	11	5	1	...	...	...	1	202
"	...	...	96	2	5	3	2	2	2	3	17	26	18	16	2	2	...	98	27	21	9	3	3	9	6	10	4	2	3	..	1	...	...	73	15	3	2	2	...	...	3	...
Epilepsy	16	4	...	...	1	...	...	3	4	...	3	2	1	2	2	2	20	...	2	...	1	...	2	4	2	5	2	...	1	...	...	...	1	15	3	1	...	...	...	...	1	41
"	...	...	19	2	1	4	4	2	1	...	4	...	2	1	2	...	...	21	...	1	1	...	1	6	5	4	1	2	...	...	...	...	...	15	4	...	...	...	1	1	...	...
Erysipelas	43	1	...	...	5	3	9	7	3	5	...	...	1	2	...	9	44	...	12	3	3	...	3	7	6	6	2	...	2	1	...	...	...	30	5	1	4	2	1	1	..	94
"	...	...	48	2	4	7	4	4	5	6	1	3	1	2	3	10	...	50	10	2	7	1	3	8	6	3	6	2	1	...	...	...	...	39	4	5	...	1	...	...	1	...
Fever	38	3	...	...	2	2	...	1	6	...	6	2	3	10	4	5	41	...	2	...	8	2	6	11	3	6	2	1	...	...	...	...	...	21	12	4	2	2	...	...	...	76
"	...	...	33	2	1	4	5	1	2	4	1	1	2	6	5	3	...	35	1	1	5	2	2	9	5	3	2	4	1	...	...	...	...	19	11	2	2	1	...	...	...	...
Fever Bilious	21	3	...	...	2	2	2	1	...	2	2	1	4	4	3	1	24	...	...	...	...	3	1	8	2	5	2	2	1	...	...	...	...	10	5	1	3	3	..	1	1	46
" "	...	...	22	...	3	...	...	1	1	...	...	1	9	4	1	2	...	22	...	2	...	4	4	4	3	3	2	...	...	...	...	...	...	15	5	...	1	...	1	...	...	...

DISEASE.	SEX.				TIME OF DECEASE.												NUMBER OF EACH SEX.		AGE.															NATIVITY.								
	Males		Females																																					
	White.	Black.	White.	Black.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Males.	Females.	Under 1 year.	1 year to 2.	2 to 5.	5 to 10.	10 to 20.	20 to 30.	30 to 40.	40 to 50.	50 to 60.	60 to 70.	70 to 80.	80 to 90.	90 to 100.	100 and upwards.	Unknown.	United States.	Ireland.	England.	Germany.	Scotland.	France.	Other Countries.	Unknown.	TOTAL.
Fever, Congestive	2	...	...	...	...	...	...	...	...	...	...	...	1	1	...	...	2	...	...	...	...	...	...	...	1	...	1	...	...	...	...	...	1	...	1	...	...	...	...	4
" "	...	...	2	...	...	...	...	...	...	...	...	...	...	...	1	...	...	2	...	...	...	...	...	...	...	1	...	...	...	...	...	...	2	...	...	...	...	...	...	...
Fever, Inflammatory	2	...	...	...	...	...	1	...	...	...	...	...	...	...	...	1	2	...	1	...	1	...	...	...	...	...	...	...	...	...	...	...	2	...	...	...	...	...	...	5
" "	...	...	3	...	1	1	...	...	...	...	...	...	...	...	...	1	...	3	...	...	...	...	1	1	1	...	...	...	...	...	...	...	1	1	...	1	...	...	...	...
Fever, Intermittent	2	...	...	...	...	...	...	...	...	...	1	...	1	...	...	...	2	...	...	...	...	...	...	...	2	...	...	...	...	...	...	...	2	...	...	...	...	...	...	4
" "	...	...	2	...	...	...	...	1	...	...	...	...	...	1	...	...	...	2	...	...	...	...	...	...	2	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...
Fever, Puerperal	...	...	38	2	6	5	5	5	4	4	...	1	4	2	3	1	...	40	...	...	...	...	2	23	12	3	...	...	...	...	...	...	21	13	2	2	1	...	1	...	40
Fever, Remittent	61	1	...	...	4	5	6	6	3	3	3	3	5	14	7	3	62	...	1	3	13	10	3	8	7	8	3	2	2	2	...	...	43	10	1	3	1	2	1	1	105
" "	...	...	43	...	1	4	4	2	2	4	6	3	3	6	2	6	...	43	3	4	6	2	3	7	6	6	2	2	2	...	...	...	31	9	1	1	1	...	...	...	...
Fever, Scarlet	182	1	...	...	16	15	19	16	8	13	10	13	8	18	24	23	183	...	20	31	88	34	6	2	1	...	...	1	...	...	...	...	176	3	3	...	1	...	...	...	366
" "	...	...	181	2	25	13	10	17	5	10	18	10	6	17	26	26	...	183	15	43	77	33	8	4	1	1	1	...	...	...	...	...	176	1	5	...	1	...	...	...	...
Fever, Typhoid	18	1	...	...	1	4	1	2	1	...	...	...	1	1	3	5	19	...	...	...	1	...	1	5	4	1	4	3	...	...	...	...	4	8	4	2	...	...	1	...	38
" "	...	...	16	3	1	1	1	2	4	...	...	...	3	...	1	6	...	19	...	...	...	...	...	7	8	1	1	1	...	...	1	...	7	6	3	1	1	...	1	...	...
Fever, Typhus	81	3	...	...	11	4	6	4	6	8	6	5	5	14	5	10	84	...	...	...	4	2	10	27	15	12	6	5	3	...	...	...	28	37	4	8	1	1	1	4	144
" "	...	...	53	7	7	3	2	5	7	6	5	1	11	3	5	5	...	60	...	1	1	...	16	16	13	5	3	3	1	...	...	1	25	21	5	6	1	2	...	...	...
Fracture	4	...	...	...	1	...	...	...	...	1	...	...	...	1	...	1	4	...	...	...	...	...	...	1	...	2	...	...	...	...	...	1	2	1	...	1	...	...	...	4
Gout	...	...	3	1	...	...	...	2	2	...	...	...	...	...	...	...	...	4	...	...	...	...	...	...	...	...	2	1	1	...	...	...	2	...	2	...	...	...	...	...	4
Heart, Inflammation of	4	...	...	...	1	1	...	...	1	...	...	...	...	...	...	1	4	...	2	1	...	...	...	1	...	...	...	...	...	...	...	...	4	...	...	...	...	...	...	...	9
" "	...	...	4	1	...	...	...	1	1	1	...	...	1	...	1	...	...	5	...	...	...	1	...	1	1	1	...	...	1	...	...	...	3	1	...	...	...	1	...	...	...
Heart, Organic disease of	42	3	...	...	6	5	1	2	3	1	6	5	3	3	4	6	45	...	5	...	...	...	2	5	16	6	6	1	1	3	...	...	22	10	9	2	2	...	...	...	79
" " "	...	...	33	1	4	2	4	1	1	2	6	5	1	4	1	3	...	34	1	1	2	...	2	7	3	3	2	7	6	...	...	...	20	9	3	...	2	...	...	...	...
Hydrophobia	...	...	1	...	...	...	...	...	...	...	...	...	...	1	...	...	...	1	...	...	...	...	...	1	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	1
Hip Disease	2	...	...	...	1	...	...	1	...	...	...	...	...	...	...	...	2	...	...	...	1	...	...	...	1	...	...	...	...	...	...	...	1	1	...	...	...	...	...	...	5
" "	...	...	2	1	...	1	...	...	...	1	...	1	...	1	...	...	...	3	...	...	...	2	1	...	...	...	...	...	...	...	...	...	3	...	...	...	...	...	...	...
Hooping Cough	28	...	...	...	1	1	1	...	...	1	1	2	8	3	6	4	28	...	14	7	5	2	...	...	...	...	...	...	...	...	...	...	27	...	...	1	...	...	...	...	67
" "	...	...	36	3	...	...	...	1	1	1	...	3	11	11	8	3	...	39	13	12	13	1	...	...	...	...	...	...	...	...	...	...	38	...	...	1	...	...	...	...	...
Indigestion	2	...	...	...	...	...	...	1	...	...	...	...	...	...	...	1	2	...	...	...	...	...	...	1	...	...	1	...	...	...	...	...	1	1	...	...	...	...	...	...	5
"	...	...	3	...	...	...	...	...	...	...	1	...	1	...	1	...	...	3	...	1	...	...	...	...	...	1	...	1	...	...	...	...	3	...	...	...	...	...	...	...	...
Inflammation	25	2	...	...	...	1	1	1	3	1	3	6	4	2	2	3	27	...	10	5	3	...	...	2	2	3	1	1	...	...	...	...	20	1	5	...	...	...	1	...	60
"	...	...	31	2	2	1	4	3	2	1	4	3	1	3	5	3	...	33	13	4	3	1	2	5	2	...	1	...	1	...	...	1	28	...	3	1	...	...	1	...	...
Influenza	1	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	1	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	5
"	...	...	4	...	...	...	...	...	...	1	...	...	...	...	...	3	...	4	2	1	...	...	...	...	...	...	...	...	...	1	...	...	4	...	...	...	...	...	...	...	...
Insanity	11	...	...	...	2	2	1	...	...	...	5	...	...	...	...	1	11	...	...	...	...	...	2	3	4	1	1	...	...	...	...	...	...	6	4	...	...	1	...	...	23
"	...	...	9	2	1	...	1	...	1	1	...	2	3	2	...	...	...	11	...	...	...	...	1	3	1	3	2	1	...	...	...	...	7	3	1	...	...	...	...	...	...

Intemperance	21	1				1	2	2	2	2	1	2		4	2	4	22							2	5	6	9							8	7	2	1	2		1	1	48
"			26		2	1	3	2	2		4	5	1	2	1	3		26						6	12	7	1							9	13						4	
Jaundice	12				1	2		1	2	1	1		1	1	1	1	12		5					4	3									8	3		1					19
"			7			1		2	1				3	1				7	2			1		1	2		1							3	3	1						
Kidneys, Inflammation of	2										1			1			2			1							1							1	1							3
" "				1						1								1									1							1								
Larynx, Inflammation of	3							2					1				3		1						1	1								2				1				
Liver, Inflammation of	27	3			3	1	4	2		3	3	3		1	4	6	30		2	1			1	3	10	5	5	1		1			1	14	9	3	1		1	1	1	67
" "			33	4	4	1	2	3	2	3	7	4	2	2	6	1		37	2	1	1		3	4	9	7	2	4	4					22	7	2	1	3	2			
Lues Venerea	3				1				1						1		3							2									1	1	1						1	6
" "			2	1			1	1					1					3			1		1		1									3								
Lungs, Bleeding from	15				1	1	1	2	2		1		1	3	1	2	15			1	2		1	4	2	1	3	1						8	4	1	1				1	25
" "			8	2				3	1		1		3	1		1		10	2					2	2	2			1	1				7	1		1			1		
Lungs, Congestion of	15	6			3	4		1	3	2	3	1	1	1	2		21		10	3		1	1	1	2	1	1			1				21								32
" "			11		3	3	1		1	1						2		11	3		3				4	1								9	2							
Lungs, Inflammation of	315	30			33	31	44	39	27	18	15	14	17	31	30	46	345		107	65	43	9	4	24	34	35	9	8	4	3				278	43	7	7	3	1	2	4	605
" "			240	20	25	28	35	24	22	11	8	12	15	22	20	33		260	70	31	46	13	10	23	25	16	7	7	5	2	2			211	32	3	8		1	1	4	
Malformation	14				1	1	2		1	3	2	2			1	1	14		13	1														14								23
"			8	1			1			3			4	1				9	9															9								
Marasmus	224	13			13	14	18	18	10	10	28	30	32	27	22	15	237		144	58	29	4	2											235			2					411
"			168	6	10	9	9	12	7	14	24	27	17	22	9	14		174	104	36	31	3												174								
Measles	58	1			16	4	12	4	3		2	3	1	3	6	5	59		8	18	27	4	1		1									57		1	1					113
"			51	3	11	9	10	5	4	1	3	3	1	2	3	2		54	10	18	24	1	1											52			1			1		
Mortification	18					1	1	1		1	2	1		6	5		18		1	2	5	5				3	1	1						16	1	1						35
"			15	2	1		1	1		1		1	2	7	2	1		17		1	9	1				3	1		1	1				13	2	1		1				
Neuralgia	1													1			1									1								1								2
"			1					1										1							1									1								
Old Age	44	5			5		4	5	5	3	2	7	2	5	6	5	49										3	10	22	10	3	1		27	10		6	3	1	1	1	140
"			82	9	6	8	5	8	4	5	10	7	7	17	8	6		91									3	16	26	32	14			39	25	10	4	4	3	3	3	
Palsy	34	2				2	3	2	1	4	2		7	4	5	6	36						1		7	6	9	7	4	2				14	12	3	3	4				71
"			33	2	3	3	5	3	1		4	3	4	2	2	5		35					1	2	4	5	2	9	11	1				21	6	2	2			3	1	
Peritoneum, Inflammation of	5				1					1	3						5		1			2		1		1								4	1							30
" "			23	2	3	4	4	1	4		3	2	1	2		1		25	1	1		1	2	12	8									14	9	1		1				
Pleurisy	6				1			3	1	1							6							2	1	3								3	1	1				1		14
"			8			2		1	1		1	1	1		1			8	1	1			2	2			2							5	3							
Premature Birth	19				4	2	2		1			1	2	3	1	3	19		19															19								
" "			19		1		1	2	2	1	2	1	2	1	4	2		19	19															19								
Purpura	2						1									1	2		1						1									2								3
"			1							1								1	1															1								
Rheumatism	7					2			2				1	1		1	7							1	1	1		2	2					2	2	1	1		1			14
"			6	1	1				2		2			1		1		7			1			1	2	1	1	1						4	3							
Rupture	6					1			1				2		1	1	6		1	1					2		1	1						5	1							8
"			1	1								1	1					2						1	1									2								
Salivation	1								1								1							1										1								1

DISEASE.	SEX.				TIME OF DECEASE.												NUMBER OF EACH SEX.		AGE.													NATIVITY.								
	Males.		Females																																			
	White	Black.	White	Black.	January.	February.	March.	April.	May.	June.	July.	August.	September	October.	November	December.	Males.	Females.	Under 1 year.	1 year to 2.	2 to 5.	5 to 10.	10 to 20.	20 to 30.	30 to 40.	40 to 50.	50 to 60.	60 to 70.	70 to 80.	80 to 90.	90 to 100.	100 and upwards.	Unknown.	United States.	Ireland.	England.	Germany.	Scotland.	France.	Other Countries.	Unknown.	TOTAL.
Scrofula	19	...	...	...	3	...	4	...	...	...	1	6	2	...	1	2	19	...	1	3	6	3	1	2	1	1	1	...	...	...	...	...	14	2	3	...	...	...	...	...	34
"	...	...	14	1	1	3	1	...	2	...	1	...	1	3	3	...	...	15	2	5	2	1	1	2	1	...	1	...	...	...	...	...	13	1	1	...	...	...	...	...	...
Small Pox	109	15	...	...	13	10	11	13	12	14	11	5	3	10	8	14	124	...	24	15	28	14	11	15	9	3	2	2	...	...	...	1	116	2	...	2	...	...	4	...	209
" "	...	...	78	7	11	8	6	3	9	10	7	9	2	5	5	10	...	82	9	15	25	10	10	9	3	2	1	...	1	...	...	...	83	...	...	1	...	...	1	...	...
Spinal Disease	6	1	...	...	1	...	...	2	3	...	...	...	...	1	...	...	7	...	1	...	...	1	1	...	4	...	...	...	...	...	...	...	4	2	...	1	...	...	...	...	10
" "	...	...	2	1	1	...	...	...	1	...	...	...	1	...	...	...	...	3	...	...	...	...	...	...	3	...	...	...	...	...	...	...	1	1	1	...	...	...	...	...	...
Sprue	17	...	...	...	...	...	...	1	...	1	3	4	4	1	3	...	17	...	13	4	...	...	...	...	...	...	...	...	...	...	...	...	17	...	...	...	...	...	...	...	31
"	...	...	13	1	...	1	2	1	...	3	2	2	2	1	...	...	...	14	14	...	...	...	...	...	...	...	...	...	...	...	...	...	14	...	...	...	...	...	...	...	...
Stomach, Bleeding from	1	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	1	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	2
" "	...	...	1	...	...	...	1	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	1	...	...	...	...	...	...	...
Stomach, Cancer of	2	...	...	...	1	...	1	...	...	...	...	...	...	...	...	...	2	...	...	...	...	...	...	...	...	1	1	...	...	...	...	...	1	...	...	1	...	...	...	...	6
" "	...	...	4	...	...	...	...	...	2	...	1	...	...	...	...	...	...	4	...	...	...	...	...	1	2	...	...	...	1	...	...	...	1	2	...	1	...	...	...	...	...
Stomach, Inflammation of	23	2	...	...	1	1	3	2	1	1	3	3	2	4	1	3	25	...	4	...	3	1	...	2	6	3	3	1	2	...	...	...	19	4	1	...	1	...	...	...	51
" "	...	...	26	...	2	3	4	2	2	2	...	2	1	4	1	3	...	26	3	1	4	1	1	6	2	4	2	1	...	1	...	...	16	8	1	1	...	...	...	...	...
Stomach & Bowels, Inflam. of	7	1	...	...	2	...	...	...	...	1	1	...	...	...	2	2	8	...	3	...	...	...	...	3	2	...	...	...	...	...	...	...	5	2	...	...	...	...	1	27
" "	...	...	19	...	3	1	...	1	...	...	...	...	4	2	3	5	...	19	2	1	1	2	1	3	4	1	2	1	1	...	...	...	11	4	1	1	2	...	...	...	...
Tetanus	6	...	...	...	...	...	1	...	2	...	...	1	1	...	...	1	6	...	...	...	1	...	...	2	3	...	...	...	...	...	...	...	...	3	3	...	...	...	...	...	8
"	...	...	2	...	...	...	...	...	...	...	1	...	1	...	...	...	...	2	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	2	...	...	...	...	...	...	...
Teething	28	2	...	...	...	3	1	1	1	3	6	4	4	3	1	2	30	...	12	16	2	...	...	...	...	...	...	...	...	...	...	...	...	30	...	...	...	...	...	...	...	72
"	...	...	38	4	...	2	...	2	...	2	3	15	6	9	1	2	...	42	18	24	...	...	...	...	...	...	...	...	...	...	...	...	...	42	...	...	...	...	...	...	...	...
Throat, Inflammation of	17	...	...	...	1	...	3	2	2	2	1	1	...	1	2	2	17	...	2	6	4	...	...	1	...	3	...	...	1	...	...	...	...	13	1	1	...	...	...	1	1	33
" "	...	...	15	1	2	2	1	1	...	1	...	3	2	...	2	2	...	16	2	4	4	1	1	3	...	1	...	...	...	...	...	...	...	15	...	...	...	...	...	1	...	...
Throat, Ulcers of	2	...	...	...	...	...	1	...	...	...	...	...	...	...	1	...	2	...	...	...	...	...	...	...	...	1	...	...	...	...	...	1	...	2	...	...	...	...	...	...	...	2
Tumour	2	...	...	...	...	...	...	...	1	...	...	...	...	...	...	1	2	...	...	...	...	1	...	1	...	...	...	...	...	...	...	...	...	2	...	...	...	...	...	...	...	5
"	...	...	2	1	...	...	...	1	...	...	...	...	...	...	1	1	...	3	...	...	...	...	...	...	...	1	...	1	1	...	...	...	...	3	...	...	...	...	...	...	...	...
Ulcers	8	...	...	...	1	...	...	...	1	...	...	...	4	...	1	1	8	...	...	...	...	1	...	1	1	3	1	1	...	...	...	...	...	5	1	2	...	...	...	...	...	17
"	...	...	5	4	...	1	1	...	2	1	2	...	...	1	...	1	...	9	1	...	...	...	1	3	2	...	...	1	...	...	...	...	...	8	1	...	...	...	...	...	...	...
Urine, Retention of	3	...	...	...	...	...	1	...	...	...	...	...	...	...	...	1	3	...	1	...	...	1	...	...	...	...	1	...	...	1	...	1	...	2	...	...	...	...	...	...	1	3
Varioloid	11	...	...	...	2	1	2	...	1	...	...	2	...	...	1	2	11	...	1	...	7	1	...	1	...	2	...	...	...	...	...	...	...	11	...	...	...	...	...	...	...	20
"	...	...	9	...	2	1	...	1	...	...	...	...	1	...	1	...	...	9	2	3	2	...	...	...	...	...	...	...	...	...	...	...	...	9	...	...	...	...	...	...	...	...
Worms	6	...	...	...	2	1	...	1	...	1	...	...	...	...	1	...	6	...	1	...	4	1	...	1	...	...	...	...	...	...	...	...	...	6	...	...	...	...	...	...	...	16
"	...	...	10	...	1	...	...	...	1	1	1	3	2	...	...	1	...	10	1	2	6	1	...	1	...	...	...	...	...	...	...	...	...	10	...	...	...	...	...	...	...	...
Womb, Bleeding of	...	...	7	...	1	...	...	...	1	3	...	...	1	...	...	1	...	7	...	...	...	...	...	...	4	1	1	...	...	...	...	...	3	2	...	1	...	1	...	...	7
Womb, Cancer of	...	...	10	1	...	1	1	3	1	1	2	...	...	...	1	1	...	11	...	...	...	...	...	...	1	3	4	...	1	...	...	...	6	2	2	1	...	...	...	...	11
Womb, Inflammation of	...	...	10	...	1	1	...	3	...	1	1	...	...	1	3	...	...	10	...	...	...	...	...	...	5	2	...	...	...	...	...	...	2	4	2	1	...	1	...	...	10

Casualties, &c.

Accident	47	2	...	...	4	2	5	4	4	2	4	10	3	8	...	3	49	...	1	...	...	1	7	6	13	11	7	2	1	..	..	..	..	16	23	5	2	1	..	..	2	55
"	...	...	6	...	1	1	1	...	...	1	...	2	...	...	...	...	...	6	...	...	1	...	1	1	1	...	1	...	1	..	..	..	..	1	5	...	...	...	..	..	...	...
Burned and Scalded	21	...	...	...	4	2	2	3	...	1	...	1	1	1	2	4	21	...	2	5	7	1	1	1	3	1	...	...	...	..	..	..	..	18	3	...	...	...	..	..	...	43
" "	...	...	20	2	2	4	...	...	3	2	1	1	...	4	2	3	...	22	3	4	10	2	...	2	1	...	...	...	...	..	..	..	..	21	...	...	1	...	..	..	...	...
Cold Water, Drinking of	4	...	...	...	...	...	...	...	1	...	3	...	...	...	...	...	4	...	...	...	...	...	...	...	1	2	...	...	...	..	..	..	1	...	3	...	...	...	..	..	1	4
Exposure	6	...	...	...	...	1	...	1	...	...	...	...	...	...	2	2	6	...	3	...	...	...	...	...	1	1	1	...	...	..	..	..	..	3	1	...	...	...	..	..	2	12
"	...	...	6	...	2	...	...	...	1	...	...	...	...	1	1	1	...	6	1	...	...	...	...	...	1	...	...	...	...	..	..	..	4	2	...	...	...	...	..	..	4	...
Drowned	90	3	...	...	1	1	1	4	16	16	12	10	16	9	7	...	93	...	1	1	3	6	8	23	16	22	5	1	...	..	..	..	7	30	16	7	3	1	1	..	35	105
"	...	...	11	1	...	1	...	1	1	2	...	3	2	...	1	1	...	12	...	...	1	1	2	3	3	...	...	2	...	..	..	..	..	6	2	...	...	...	..	..	4	...
Hanged	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	1	...	...	...	...	...	...	...	...	1	...	...	...	..	..	..	..	...	1	...	...	...	..	..	...	1
Killed	1	1	...	...	...	...	...	1	...	...	...	...	1	...	...	...	2	...	...	...	...	...	...	1	1	...	...	...	...	..	..	..	..	2	...	...	...	...	..	..	...	5
"	...	...	3	...	...	...	...	...	1	1	1	...	...	...	...	...	...	3	...	...	...	...	...	...	2	...	...	1	...	..	..	..	..	1	2	...	...	...	..	..	...	...
Poison	4	...	...	...	...	1	1	...	...	...	1	1	...	...	...	...	4	...	2	...	...	...	...	...	...	2	...	...	...	..	..	..	..	2	1	...	...	...	..	..	1	10
"	...	...	6	...	...	1	...	...	...	...	4	1	...	...	...	...	...	6	1	...	1	...	...	1	2	1	...	...	...	..	..	..	..	2	4	...	...	...	..	..	...	...
Suicide	24	1	...	...	2	...	3	...	6	3	1	4	2	2	...	2	25	...	...	...	...	...	1	8	4	10	...	1	...	..	..	..	1	10	8	1	2	...	1	1	2	34
"	...	...	9	...	1	...	1	...	1	...	1	...	1	...	2	2	...	9	...	...	...	...	...	2	6	1	...	...	...	..	..	..	..	4	3	...	...	...	1	..	1	...
Suffocation	23	2	...	...	8	2	2	2	2	...	2	2	2	1	2	...	25	...	19	1	1	...	1	1	1	...	...	1	...	..	..	..	..	21	2	1	...	...	..	..	1	49
"	...	...	22	2	1	2	1	5	1	...	3	3	2	4	1	1	...	24	17	3	1	...	...	1	1	...	...	...	...	..	..	..	1	22	1	...	...	1	..	..	...	...
Unknown	62	1	...	...	4	8	7	3	5	3	8	7	2	4	5	7	63	...	16	6	4	2	5	1	10	5	3	1	...	..	..	..	10	45	5	2	2	2	..	..	7	100
"	...	...	35	2	3	3	4	4	7	1	2	2	5	3	1	2	...	37	10	3	1	2	1	1	5	2	...	1	1	..	..	..	10	24	5	1	1	...	..	..	6	...
Males	4269	246	...	...	351	313	390	340	346	275	407	451	419	424	354	445	4515	...	1070	602	554	182	158	460	527	432	227	156	79	34	3	1	30	3285	689	179	137	60	25	49	91	
Females	...	...	3749	267	361	317	309	285	273	238	356	455	386	389	286	361	...	4016	903	533	487	140	194	528	458	284	145	139	107	57	19	1	21	3073	587	125	94	42	28	25	52	
					712	630	699	625	619	513	763	906	805	813	640	806	...	...	1973	1135	1041	322	352	988	985	716	372	295	196	91	22	2	51	6338	1276	304	231	102	53	74	143	8531
Stillborn	318	18	...	...	27	39	30	28	24	32	26	25	26	27	18	34	336	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
	...	...	228	20	19	16	23	18	18	22	23	22	21	27	17	22	...	248																								584
	4587	261	3977	287	758	685	752	671	661	567	812	953	852	867	675	862	4851	4264	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	9115

REPORT

OF THE

SPECIAL COMMITTEE

ON THE ESTABLISHMENT

OF A

WORK HOUSE,

AND THE

Reorganization of the Alms House Department.

DOCUMENT No. 61.

Bryant & Boggs, Printers, 27 Pine Street.

DOCUMENT No. 61.

BOARD OF ALDERMEN,

FEBRUARY 7, 1842.

Report of the Special Committee on the establishment of a Work House and the re-organization of the Alms House Department. Laid on the table and directed to be printed under the direction of the Committee.

SAMUEL J. WILLIS, CLERK.

Whereas, the Ordinance creating the Alms House Department, in consequence of the increasing wants of that establishment, and from other causes, is, in the opinion of this Board, defective; and whereas, for the preservation of the health of the inmates, and the necessity of a reduction in the expenses of the establishment, it is highly important that all the paupers within the walls should be so employed that the proceeds of their labor may, in a measure, defray the expenses of the same, therefore,

Resolved, That a Special Committee of five members be appointed to examine and report upon the propriety of a re-organization of the Alms House Department.

Resolved, That the same Committee be, and are hereby directed to take into consideration, and report upon the propriety of establishing a Work House, in which shall be employed all the inmates of the Alms House that may be capable of performing daily labor, at such work as may best suit their capacity.

By Frederick R. Lee.

The Special Committee, to whom were referred the annexed resolutions, feeling deeply sensible of the importance of the subject referred to them, and fully convinced of the necessity of a radical change in the Alms House Department, in order, if possible, to curtail its expenses; and to propose measures by which the persons supported by that institution may, by their labor, give an equivalent for such support; which will not only materially lessen the expenses of the department, but will also be conducive to the health of the inmates: with this view your Committee, soon after their appointment, made a thorough investigation into the affairs of the Alms House as then conducted, which more fully impressed them with the importance of prompt and efficient action in order to remedy the evils that must be so apparent to every discerning mind. Their attention was particularly directed to the number of unemployed paupers; and, although many of them were aged and infirm, yet, in the opinion of your Committee, such light labor might be imposed upon them as would partially reimburse the city for their board: others, not so far advanced in years, were found strolling about the yards in idleness; many of whom, from various causes, were debilitated, but still able to perform a moderate share of labor; and they feel themselves warranted in saying, from the observations then made, that the present system is an invitation to pauperism, and induces the indolent poor to seek an asylum in that institution; who, if

obliged to labor for the benefit of the public, would find it to their interest, and more congenial to their feelings, to appropriate the product of such labor to their own benefit; by which means our city would be relieved from a considerable portion of the taxes now imposed for the support of the department, and which must necessarily continue to increase, unless measures are adopted by the proper authorities to alter the system; for, situated as the City of New York is, being the great metropolis of the western world, it must be expected that among the great influx of strangers daily arriving, many of them in indigent circumstances, and without any means of support, they must consequently become a charge upon the public; and although we are ready and willing to extend the hand of welcome to the unfortunate of every clime, yet it becomes our duty to expect from them, when provided for, to give, as far as their abilities extend, an equivalent for such aid.

There are now supported by the public between three and four thousand paupers, a very small portion of whom perform sufficient labor to pay the expense of their board; and the amount now paid for the support of the Alms House and Prison is over one-fifth of the tax now imposed on our fellow citizens, which is a conclusive evidence that the system is radically wrong. Your Committee deem it proper to state, that they attribute no blame to the Commissioners of the institution; on the contrary, they are fully satisfied that a majority of those gentlemen have faithfully discharged their duty, and are entitled to the thanks of the Common Council. They are unanimously of the opinion, that the duty required of the Commissioners is entirely too great to be performed gratuitously, and that the Alms House and Prisons should be under the charge of different persons, and be made two separate and distinct departments.

Your Committee, anxious to benefit by the experience of those long connected with institutions of a similar character in the United States, a portion of which are so conducted as to

defray their entire expenses; and feeling satisfied that much more information could be obtained by a personal examination than from any description that might otherwise be imparted, have, during the past season, visited the alms houses and prisons of the principal cities in the Union; and the advantages derived from those examinations they trust will be attended with beneficial results to the interest of this metropolis; they having, in preparing the ordinance offered for the consideration of the Common Council, endeavored to improve upon the various systems that have come under their observation.

The number of paupers in the City of New York, compared with any other city in the Union, being so much greater, it will be impossible to derive a sufficient income to defray the entire expense; but, if properly conducted, under the plan proposed, the amount required will be materially reduced, and will remedy many of the abuses now existing among the officers and agents now employed; who, although engaged at comparatively moderate salaries, yet the entire living of themselves and families, which they are now entitled to, increases the amount to an enormous extent.

It is proposed to divide the institutions now under the direction of the Commissioners of the Alms House, into five departments, viz.:

The Alms House Department.
" Nursery Department.
" Work House Department.
" Hospital Department.
" Prison Department.

The four first to be under the general superintendence of one person, to be known as the Commissioner of the Alms House Department, in conjunction with the Committee on Charity and Alms House of both Boards, by whom the subordinate officers will be appointed; said Commissioner to receive a suitable compensation for his services, and devote his whole attention to the interest of the institution,

and to the wants of the out-door poor, daily, through the inclement season of the year; which will obviate the difficulty that now exists, of the poor of the city congregating twice in each week around the office of the Commissioners, and remaining from morning till night, to obtain the small pittance granted to them. Each department will be under the direction of a Superintendent appointed by the Common Council, and who will be accountable to the Commissioner for every article entrusted to his care.

The object of establishing the Work House Department is, to employ every pauper whose health will permit at such mechanical or agricultural labor as will suit the capacity of the individual; confining the articles manufactured to such things as may be required for consumption in the institution; and any pauper neglecting or refusing to perform the labor allotted, to be punished or expelled.

It is, however, deemed unnecessary to lengthen this report by entering into details, as the annexed ordinance fully explains the views of your Committee.

In reference to the Prison Department, it has been deemed highly important that it should be separated from that of the Alms House, in order that the expenses of each institution may always be accurately arrived at; and also from the fact, that your Committee have satisfactorily ascertained the utter impossibility of having that attention paid to our houses of correction that is absolutely necessary, by those having charge of such an establishment as the Alms House of the City of New York, must certainly continue to be. With these views they propose that a Commissioner of Prisons, with a competent salary, shall be appointed, who shall have the general supervision of the Prison Department; and, in conjunction with the Committee on Police, Watch and Prisons of both Boards, to have the appointment of the subordinates; the officers of the department to be elected by the Common Council, and to be accountable to the Commissioner for every article placed in his possession. Provision is

also made for the employment of every convict, both male and female within the walls, in the manufacture of such articles as may be required for the use of the institution; and for the separation of old and hardened offenders from vagrants, and those confined for comparatively small offences.

Your Committee, fully aware of the baneful effects of political influence over our public institutions, have carefully endeavored to divest the accompanying ordinance of all features of that nature, and for that reason propose that the principal officers shall be appointed for three years; subject, however, to impeachment for improper conduct; but as this provision of the ordinance conflicts with the law of the State relative to the Alms House Department of the City of New York, it will therefore be necessary to obtain legislative action on the subject.

Your Committee have thus briefly given an outline of the changes proposed to be made by them, and relying upon the intelligence and experience of the Common Council to suggest such alterations and amendments as may be considered conducive to the public good, they respectfully present the ordinance for consideration.

FREDERICK R. LEE,
ROBERT JONES,
DAVID VANDERVOORT,
A. HATFIELD,
JOHN A. UNDERWOOD,
DANIEL D. BRIGGS,
ERASTUS C. BENEDICT,
WM. D. WATERMAN.

CHAPTER XIII.

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

TITLE I.

Of the Alms House Department.

There shall continue to be an Alms House Department, which shall consist of an Alms House, a Nursery, a Work House, Hospitals and the out door poor.

ARTICLE I.

Of the Commissioner of the Alms House Department.

§ 1. There shall be appointed by the Common Council, one person to superintend and direct, in accordance with the laws, ordinances, and resolutions of the Common Council, all the transactions of the department, &c., who shall be known and distinguished as the "Commissioner of the Alms House Department."

§ 2. The said Commissioner shall hold his office for three years and until another is appointed in his place, and shall receive for his services two thousand five hundred dollars per year.

§ 3. The said Commissioner is hereby vested with power and authority, in conjunction with the Committees on Charity and Alms House of both Boards, to appoint and fix the salaries of such officers and agents as may be employed in the department, except those specified and provided for in the ordinance.

§ 4. The said Commissioner shall purchase, on the most reasonable terms, all articles for the use of the department; and in all cases where, in his opinion, it may be advantageous, he shall advertise for proposals to furnish the same by contract; and he shall report monthly to the Comptroller, the quantity and prices of all articles purchased by him for the use of the Alms House Department.

§ 5. The said Commissioner shall not, during the period of his appointment, be competent to hold any other office, the emoluments of which are paid from the City Treasury, or be directly or indirectly interested in the purchase of any articles for the use of the department, either by favor, commission or otherwise; nor in any contract of which the expenses or consideration are paid under any ordinance, act, or resolution of the Common Council.

§ 6. The Common Council shall have power to remove said Commissioner from office, on satisfactory evidence being produced of incompetency, insufficiency, or of any violation of his duty; and on such removal being made, they shall immediately proceed to fill the vacancy for the residue of the term.

§ 7. All requisitions for money shall be made on the Comptroller, and shall be signed by the Superintendent of the Department for which the disbursements are made, and be countersigned by the Commissioner. They shall specify the persons to whom such payments are to be made, and the amount due to each, and shall be accompanied by the original bills. And the Comptroller shall draw his warrant therefor, to the order of such persons respectively.

§ 8. All monies received in payment for board, labour, from the sale of any article, or in any other way, shall once in each month be paid to the Chamberlain, and the return thereof be filed with the Comptroller.

§ 9. The Commissioner shall semi-annually, or oftener if required, make a return to the Common Council, of the

names of the persons employed on account of the department, together with their compensation.

§ 10. No person shall be admitted into the Alms House Department, without the written permission of the Commissioner. If, on application, it shall appear that the applicant for admission is legally settled elsewhere, an entry shall be made in a separate register kept for that purpose, together with the place of the legal settlement of such person, in order that proper estimates may be made of the expense of such description of pauper.

§ 11. When families require support at the expense of the City, the Commissioner may, in his discretion, administer relief out of the Alms House. In such cases it shall be his duty to furnish the particulars to the Comptroller. All requisitions for this purpose, or any other contingency, may be paid by the Comptroller direct to the Commissioner; provided the advance at no one period exceed the amount of $

§ 12. Each inmate shall be provided with suitable food, and clean and comfortable clothing, which shall be as nearly uniform as possible.

§ 13. The house may be visited at such hours and under such regulations as the Commissioner may ordain.

§ 14. The Commissioner shall annually, or oftener if required, report to the Mayor the number of persons admitted, discharged, died, and remaining in the Alms House Department; and also the expenditure and general state and condition of the institution, together with the rules and regulations adopted for the government of the establishment, and the proposed improvements and changes in the Department. And the Mayor shall, by message, communicate to the Common Council such parts thereof as he may deem expedient, or they may require.

§ 15. The Commissioner shall keep a record of the name of every person received into the Alms House Department: also their age, sex, birth place, occupation, if married or single, and the time of their discharge or death.

ARTICLE II.

Of the Superintendent of the Out-door Poor.

§ 1. There shall be appointed by the Common Council a suitable person, who shall be known as the Superintendent of the Out-door Poor, and who shall receive an annual salary of dollars, and no other emoluments, perquisites, or compensation whatever; he shall give bonds with sufficient security, to be approved by the Finance Committee, in the penal sum of two thousand dollars, and shall be removed at the pleasure of the Common Council.

§ 2. The Superintendent of the Out-door Poor shall attend daily at the office of the Commissioner of the Alms House Department, to receive applications from persons seeking relief, and shall distribute such sums of money, and such quantity of fuel and provisions to the out-door poor as the said Commissioner may direct. He shall keep a book, wherein shall be recorded the name and residence of each applicant for charity, and the orders and directions of said Commissioner; which book shall be subject at all times to the inspection of any member of the Common Council: and he shall perform such other duties as may be required of him by the Commissioner, and of which he shall keep a record.

ARTICLE III.

Of the Chief Clerk of the Alms House Department.

§ 1. There shall be appointed by the Common Council a Chief Clerk to the Alms House Department, who shall hold his office for two years, and shall receive for his services dollars per year, and no other perquisite or compensation whatever. He shall abide by Article i. section 6, regulating the removal of the Commissioner of the Alms House Department.

§ 2. The said Clerk shall keep in a set of books, provided by the Commissioner, a clear and distinct account, by way of double entry, of the money expended for the Alms House Department, distinguishing the Alms House, Nursery, Work House, Hospitals, and out-door poor, and of the provisions, fuel, medicines, and other articles received and made use of by them severally; also, an account of all articles sold, and moneys received, specifying each article separately, and the amount received for the same, and shall enter every estimate submitted for fuel, provisions, and other things in a book, to be kept for that purpose, with the name of the applicant, and the amount of each estimate.

§ 3. The said Clerk shall once in each month prepare a statement of the accounts for the last month; they shall be examined and compared by the Commissioner, with the proper books and vouchers; and a statement of the same having been signed by the Commissioner, shall be deposited with the Comptroller, and printed for the use of the Common Council.

§ 4. The said Clerk shall keep his books in the office of the Commissioner, and said books shall at all times be open for the inspection of the members of the Common Council.

ARTICLE IV.

Of the Superintendent of the Alms House.

§ 1. There shall be appointed by the Common Council a Superintendent, who shall have, under the direction of the Commissioner of the Alms House Department, the exclusive control of the Alms House.

§ 2. The said Superintendent shall reside within the establishment, in such furnished apartments as the Commissioner provides, and shall receive dollars a year for his services, together with suitable living for himself, and his wife and children. He shall be removed at the pleasure of the Common Council.

§ 3. The said Superintendent shall have power to select from the inmates, proper persons as orderlies and nurses, door keepers, runners, cooks and domestics, who shall be removable at his discretion.

§ 4. The said Superintendent shall daily send all paupers residing in the Alms House, capable of performing any work and not otherwise employed, to the Work House, where they shall be put at such labor as the Superintendent of the Work House is authorized to direct.

§ 5. The said Superintendent shall make his requisitions in writing on the Commissioner of the Alms House Department, for all articles used in the Alms House, and shall keep an account of the same.

ARTICLE V.

Of the Steward of the Alms House.

§ 1. There shall be appointed by the Commissioner, and the Committee on Charity and Alms House of both Boards, and removable at their pleasure, a person who shall be known as the Steward of the Alms House. He shall receive for his services, his own board and dollars per annum, and no other perquisite whatever.

§ 2. The said Steward shall have, under the direction and control of the Superintendent, the charge and distribution of all articles made use of in the Alms House, and shall keep an account of the same. He shall see that the male inmates of the Alms House conduct themselves in a proper manner, that their clothes are taken care of, that their food is properly served and distributed, and that they take the same in a proper manner; that the rooms, yards, and other places under his care, are kept clean and in good order, and properly warmed and ventilated; and that the male attendants observe his orders and directions, and in all respects do their duty. He shall also see to the opening and closing of the house,

morning and evening; that the inmates rise and commence business immediately after ringing the bell, and that they retire in proper season at night; and shall perform such other duties as the Commissioner may direct.

ARTICLE VI.

Of the Matron of the Alms House.

§ 1. There shall be appointed by the Commissioner and Committee on Charity and Alms House of both Boards, a Matron of the Alms House, who shall receive her own board and dollars per annum for her services, and shall be removable at their pleasure.

§ 2. It shall be the duty of said Matron, under the direction and control of the Superintendent of the Alms House, to look carefully to the female inmates; to direct the assistants in their duties; to see that the inmates are kindly treated; that their food is properly served and distributed; that their apartments are kept clean and in order, properly warmed and ventilated; and that the female attendants in all respects do their duty. It shall be the duty of said Matron to superintend the kitchen, the cooking, the washing and ironing, and take care of the clothes and bedding, and see that they are always clean and in good order; and perform such other duties as the Commissioner may direct.

ARTICLE VII.

Of the Superintendent of the Nursery.

§ 1. There shall be appointed by the Common Council, a Superintendent of the Nursery, who shall have the entire charge and control, under the direction of the Commissioner of the Alms House Department, of all that relates to the Nursery. He shall be removed at the pleasure of the Common

Council, and shall receive for his services dollars, together with suitable living in furnished apartments for himself and his wife and children, provided within the establishment by the Commissioner.

§ 2. The Superintendent, under the direction of the Commissioner, shall provide healthy and proper nurses for foundlings, and such other children as may require them.

§ 3. Such children as have arrived at a suitable age, shall regularly attend the school provided for them, and shall be instructed in reading, writing, geography, and arithmetic, and shall be required to attend Divine Worship on Sundays and other suitable occasions.

§ 4. The children shall be allowed such sports and pastimes as may contribute to their health, but always in the presence of some discreet and proper person, and shall, (as much as possible,) be excluded from intermixing with other paupers. Each sex shall be kept in separate apartments. They shall be cleanly, uniformly and comfortably clad, and the utmost care shall be taken in relation to the quantity and quality of food, and to its being furnished at regular hours.

§ 5. The sick shall immediately be separated from those who are in health, and transferred to the Hospital under the direction of the Resident Physician or his assistant.

§ 6. The Commissioner shall have power to establish at the nursery, a School for the teaching of such trades or occupations as he may deem most conducive to the interests of the children and to the benefit of the Institution. The children selected to be thus instructed, shall be those who are maimed, or who, from other causes, are least likely to be sought by others. Such children shall be considered as apprenticed to the city; if females, until the age of eighteen, and if males, until the age of twenty-one years.

§ 7. When the children arrive at a proper age, they shall be bound out to suitable trades or occupations, and provision shall be made in their indentures for their proper maintainance and instruction. When indentured to persons out of

the city, it shall be the duty of the Commissioner, once in each year, to request by letter of the Supervisor of the town in which such person shall reside, information respecting such child, and its treatment by its master or mistress. The children are to be considered in every respect, as the children of the public under the care of the Commissioner, and if any of them who have been bound out shall be injured or ill treated, it shall be the duty of the Commissioner to procure them redress.

§ 8. The Superintendent shall perform the duties of Steward, and shall abide by Article v. section 2, relating to the Steward of the Alms House.

§ 9. The Superintendent of the Nursery shall make his requisition, in writing, on the Commissioner of the Alms House Department, for all articles used in the Nursery, and keep an account of the same.

ARTICLE VIII.

Of the Matron of the Nursery.

There shall be appointed by the Commissioner, and Committees on Charity and Alms House of both Boards, a Matron to the Nursery, who shall, under the direction of the Superintendent, abide by Article vi. section 1 and 2, relating to the Matron of the Alms House. She shall receive her own board and dollars a year, and no other perquisite whatever.

ARTICLE IX.

Of the Superintendent of the Work House.

§ 1. There shall be appointed by the Common Council a Superintendent of the Work House, who shall have, under the direction of the Commissioner of the Alms House De-

partment, the exclusive control of the establishment. He shall be removed at the pleasure of the Common Council, and shall receive dollars a year, together with suitable living for himself and his wife and children, in furnished apartments designated by the Commissioner.

§ 2. Every pauper whose age and health will permit, shall be employed by the Superintendent of the Work House, at such mechanical or agricultural or other labor as, on trial, shall be found to suit the capacity of the individual; and on refusal or neglect to perform the work allotted by the person in charge, it shall be the duty of the Superintendent to punish such pauper by confinement in the cells, to be fed on bread and water for such length of time as may be considered necessary, which shall be forthwith reported to the Commissioner. And on such person refusing or neglecting three times, to perform the work assigned, the Commissioner shall expel such pauper from the Alms House; and no person so expelled, shall be re-admitted.

§ 3. The hours of labor shall be regulated by the Commissioner, and the articles manufactured shall be such as are used in the Alms House and Prison Departments.

§ 4. All the grounds belonging to the Alms House Department, or under the control of the Commissioner, not occupied, and that are susceptible of cultivation, shall be used for agricultural purposes, and improved in such manner as will yield the greatest revenue to the department; but no money shall be expended for hired help in such cultivation, further than the employment of one experienced gardener. And the proceeds arising from the sale of articles thus raised, shall, as received, be paid into the hands of the Commissioner, and by him deposited with the City Chamberlain.

§ 5. As an inducement to the encouragement of industry, the Commissioner is authorized to allow and pay to the paupers, such amount for extra labor as may be considered by him to be performed in the factories or on the farms.

§ 6. The Superintendent of the Work House shall make

his requisions in writing on the Commissioner of the Alms House Department, for all articles used in the Work House, and shall keep an accurate account of the same.

ARTICLE X.

Of the Resident Physician.

§ 1. There shall be appointed by the Common Council a *Resident Physician*, who shall be Superintendent of the Hospitals, and shall have the entire charge and direction, under the supervision of the Commissioner of the Alms House and Prison Departments, of all that relates to the Lunatic Asylum, Hospitals, and their enclosures.

§ 2. The said Resident Physician shall hold his office for the term of three years, unless sooner removed on charges preferred against him by the Commissioner, and confirmed, on investigation, by the Common Council. He shall receive as a compensation for his services dollars per annum, together with suitable living for himself and his wife and children, in furnished apartments, within the premises, designated by the Commissioner.

§ 3. The Resident Physician shall annually, or oftener if occasion shall require, appoint seven *assistants*, who shall have been regular students of medicine for the two previous years, four of whom shall reside in the Alms House Hospital, one in the Lunatic Asylum, one at the Nursery Hospital, and one with the Keeper of the Penitentiary, in suitable furnished apartments allotted them by the Commissioners. They shall be entitled to their board, but shall receive no other compensation for their services, except those attached to the Lunatic Asylum and Nursery Hospital, who shall each receive in addition, an annual salary of dollars. The said Assistants shall be subject to the rules and regulations of the Hospitals, and shall perform all such duties in the line of their profession as shall be required of

them by the Resident Physician. They may be removed from office at the discretion of the Resident Physician.

§ 4. There shall be appointed by the Resident Physician, two suitable persons as Apothecaries, one of whom shall reside in the Alms House Hospital, and the other with the Keeper of the Penitentiary. They shall perform such duties in the line of their business as may be required of them by the Resident Physician, and shall be removed from office at his discretion. They shall receive their board and dollars per annum for their services.

§ 5. The Resident Physician shall use all diligence in procuring the vaccination of all inmates of the Alms House Department and Penitentiary.

§ 6. The Resident Physician may issue tickets of admission to the performance of operations in Surgery or the practice of Physic in the Hospitals.

§ 7. The Resident Physician shall make his requisitions in writing on the Commissioner of the Alms House and the Commissioner of Prisons, for the supply of every article for the use of the Hospitals. He shall not receive any person into the Lunatic Asylum, or other Hospitals, unless regularly transferred from the Alms House or Penitentiary: and all persons when cured or convalescent shall be transferred again by him to these several institutions.

§ 8. The Resident Physician shall have power to select from the Alms House and Penitentiary, suitable persons, as nurses, door keepers, and domestics, for the use of the Hospitals.

§ 9. All persons who disobey the rules and regulations of the hospitals, or who refuse to submit to the medical treatment of the Resident Physician, or the assistants under his direction, shall be dismissed, with the concurrence of the Commissioner, from the hospital, by the Resident Physician, or shall be punished in any other way that the laws of the State or Ordinance of the Common Council, in relation to paupers or prisoners justify.

ARTICLE XI.

Of the Stewards of the Alms House, Hospital, and Lunatic Asylum.

There shall be appointed by the Commissioner, in conjunction with the Committee on Charity and Alms House of both Boards, a Steward to the Alms House Hospital, and a Steward to the Lunatic Asylum, who shall, under the direction and control of the Resident Physician, abide by Article v. section 1 and 2, relating to the Steward of the Alms House. They shall receive for their services their own board and dollars a year, and no other perquisite whatever.

ARTICLE XII.

Of the Matrons of the Alms House, Hospital and Lunatic Asylum.

There shall be appointed by the Commissioner and Committees on Charity and Alms House of both Boards, a Matron to the Alms House Hospital, and a Matron to the Lunatic Asylum, who shall, under the control and direction of the Resident Physician, abide by Article vi. section 1 and 2, relating to the Matron of the Alms House. They shall receive their own board and dollars a year, and no other perquisite whatever.

ARTICLE XIII.

General Provisions.

§ 1. No person having an infectious or contagious disease, shall be received or kept in the Alms House, Nursery, or Work House; and the Superintendents shall give orders under the direction of the Resident Physician, for the removal of such person to the place appropriated for that purpose; and every sick pauper that can be removed with safety, shall be placed in the Hospital, or in a proper apartment, separate from those who are in health.

§ 2. The sick or convalescent, not in the Hospitals, shall receive such food as the Physician may prescribe, and have proper attendance, which shall be provided under the direction of the Superintendents or their Agents. In the management of the sick, the greatest care shall be taken to avoid every thing that may be uncomfortable or injurious to their health.

§ 3. At the hour of 8 P. M. in Winter, and 9 P. M. in Summer, all fires and lights shall be extinguished in the several apartments, unless from sickness or other sufficient cause, the Superintendent shall otherwise direct.

§ 4. If any of the inmates shall injure the building, or any of the appurtenances, or commit any wilful waste, destroy or embezzle food, provisions, clothing, or other articles, entrusted to them, or belonging to the department, or be guilty of any immoral or disorderly conduct, or disobey the orders of the Superintendent, they shall be put in solitary confinement and fed on bread and water only, for any term not exceeding ten days, or shall receive such other punishment as the Commissioner may direct.

§ 5. Such persons, as in the judgment of the Commissioner are able to maintain themselves, shall be discharged from the house.

§ 6. The Superintendents of the Alms House, Nursery, Work House, and Hospitals, before entering on the duties of their offices, shall give bonds, with suffieient security, to be approved by the Finance Committee, in the penalty of dollars.

§ 7. The said Superintendents shall be responsible for all stores, merchandise, fuel, and other articles put in their possession, and shall keep an accurate account of the same.

§ 8. The said Superintendents shall, once in each month, or oftener if required, hand over to the Commissioner all the property that may come into their possession by the death of the inmates.

§ 9. The Superintendents shall furnish the Commissioner at all times with such information as he may require, relative to the Department.

§ 10. A man and his wife shall not both be eligible to office in the department.

§ 11. All officers of the Alms House Department shall, before entering on the duties of their office, take and subscribe an oath or affirmation before the Mayor, or in his absence, before any person authorized to administer an oath, for the faithful performance of his or her duty.

§ 12. The Commissioner of the Alms House Department may furnish to the Commissioner of the Prison Department, such articles as he may require, on such conditions as they may determine.

CHAPTER XIV.

TITLE I.

Of Prisons.

There shall continue to be a Prison Department, and shall consist of the Penitentiary, City Prison, Jail, and other prisons of the City of New York.

ARTICLE I.

Of the Organization of the Department.

§ 1. There shall be appointed by the Common Council one person to superintend and direct, in accordance with the law, ordinances, and resolutions of the Common Council, the Prison Department, who shall be known as the Commissioner of Prisons, and shall hold his office for three years, and until another is appointed in his place.

§ 2. The said Commissioner shall receive as a compensation for his services dollars per annum, and shall be subject to the Ordinance, Chapter 13, Article I. sections 4, 5, 6, 7 and 8, relating to the Alms House Department.

§ 3. The said Commissioner, in conjunction with the Committees on Police, Watch and Prisons of both Boards, is hereby vested with power and authority to appoint and fix the salaries of such officers and agents, as may be employed in the department, except those specified and provided for in this chapter.

§ 4. There shall be appointed by the Common Council a

Clerk to the Prison Department, who shall be removed at their pleasure. The said Clerk shall receive a salary of $

§ 5. The said Clerk shall keep in a set of books, provided by the Commissioner a clear and distinct account of all the moneys received and expended for the Prison Department; and of the provision, fuel, medicine, &c., received and made use of. Also, an account of all articles sold, specifying each article separately, and the amount received for the same; and shall enter every estimate submitted for provisions, fuel and other things in a book to be kept for that purpose, with the name of the applicant and the amount of each estimate. He shall also keep a register of all prisoners committed to the Penitentiary; their names, ages, birth-places, the offences, and the length of time for which they may be committed, and when discharged, eloped or died; together with such other remarks as the Commissioner may deem necessary.

§ 6. There shall be appointed by the Common Council a Keeper of the Penitentiary, who shall hold his office during their pleasure. It shall be his duty to keep all persons committed to his charge under the same penalties as the Sheriffs of the Counties of this State are required to keep criminal prisoners or convicts committed to their custody. He shall reside within the establishment, and shall be provided by the Commissioner with suitable furnished apartments and provisions for himself and his own proper family, and shall receive a salary of dollars per annum.

§ 7. The said Keeper shall be responsible for every article put in his possession for the use of the Penitentiary, and shall keep a regular account of the same. He shall promptly fulfil the requisitions of the Resident Physician for every article allowed the Hospital by the Commissioner, and shall present an account of the same, together with the vouchers to said Commissioner, as often as he may require. He shall also furnish the Commissioner with such information as he may desire, in relation to the affairs of the establishment; and

shall once in each month, or oftener if requested, hand over to said Commissioner all property that may come into his possession by the death or elopement of a prisoner.

§ 8. The said Keeper is authorized to appoint, with the approval of the Commissioner, a person as Deputy Keeper, who shall perform such duties as may be required of him by the Keeper. He shall receive for his services a salary of $400 per annum.

§ 9. There shall also be appointed by said Keeper, by and with the advice and consent of the Commissioner, five stout and able-bodied men as Guards, and eight persons as Assistant Keepers, who shall perform such duties as may be required of them by the Keeper or Commissioner; who shall receive for their services dollars per annum. Said Assistant Keepers shall be mechanics, and each of them shall be conversant with one of the trades at which the prisoners may be employed; and shall, when required, instruct and superintend the prisoners in such trades as they may be employed at; but no goods shall be manufactured in the Penitentiary but such as may be required for the use of the establishment.

§ 10. The Commissioner is authorized to appoint as many out-door Keepers as may, from time to time, be necessary, to take charge of prisoners when employed out of the Penitentiary, at a salary at the rate of dollars per annum.

§ 11. There shall be appointed by the Commissioner a Steward to the Penitentiary, who shall, under the direction and control of the Keeper, abide by Art. 2, Sec. 14, relating to the Steward of the Alms House. He shall receive his board, and dollars per annum for his services, and no other perquisite whatever.

§ 12. There shall be appointed by the Commissioner a *Matron* to the Penitentiary, who shall, under the control and direction of the Keeper, abide by Art. 2, sec. 15, relating to the Matron of the Alms House. She shall receive

her board, and dollars per annum for her services, and no other perquisite whatever.

§ 13. The Commissioner shall have power to appoint two suitable women, who understand the making of clothing, &c., whose duty it shall be to superintend and direct the females employed in the sewing department, and shall receive for their services a salary of
dollars per annum.

§ 14. The officers of the Penitentiary, but not their families, shall reside within the establishment, under the direction of the Keeper; and shall be provided with such apartments and living as the Commissioner may direct.

§ 15. All the officers of this department shall, before entering upon the duties of their office, take and subscribe an oath or affirmation before the Mayor, or in his absence any officer authorized to administer an oath, for the faithful performance of their duty.

§ 16. Any officer of this department, appointed by the Keeper, may be removed from office by said Keeper, with the approval of the Commissioner.

§ 17. Any officer employed in the Penitentiary department, who shall directly or indirectly practice any fraud, extortion, or imposition in any way, relating to prisoners, or supplies of the establishment, or shall conceal any of the said offences, or wilfully neglect his duty, shall be dismissed from office, or punished as the law may allow.

§ 18. A man and his wife shall not both be eligible to office in the department.

ARTICLE II.

General Provisions.

The Commissioner of Prisons may direct so many prisoners confined in the Penitentiary as may be required, to be employed on any of the Corporation property; and shall

at all times, on the requisition of the Street Commissioner or Alms House Commissioner, furnish convicts to cleanse the public sewers in the City of New York, or at such other work as may be required. When so employed they shall be provided for by the departments in which they are employed.

§ 2. Any prisoner confined in the Penitentiary, guilty of improper conduct or disobedience, shall be reported by the Assistant Keepers to the Keeper, who, when satisfied the case is deserving of punishment, shall immediately, in the presence of the Physician, cause said prisoner to be punished by inflicting a shower bath; the force and length of time to be in accordance with the nature of the offence and condition of the individual; no other punishment shall be inflicted, unless by direction of the Commissioner.

§ 3. Every person confined in the Penitentiary shall be employed every day in the week except Sunday, (unless prevented by sickness,) the males in the manufacture of such articles as may be required for the use of the public institutions, or in getting out stone, or in the erection of buildings on the public property. The females, in making garments, or at such other work as, in the opinion of the Commissioner, may be most advantageous to the interest of the department.

§ 4. It shall be the duty of the Keeper to class and separate prisoners as far as possible, according to the nature of their offences, in order that vagrants, those convicted of trifling crimes and their first offence, shall not be associated with the old and hardened offenders; but in such classification the Keeper shall be under the direction of the Commissioner.

§ 5. It shall be the duty of the Commissioner of Prisons to furnish the prisoners confined in the House of Detention and Jail, such necessary provisions, fuel and medicine, as he may deem expedient, on the application of the Keeper.

§ 6. No person shall land on Blackwell's Island, or lay or place any boat or water craft alongside or adjoining said

island, except the officers and men employed thereon, without a written permission, signed by a member of the Common Council, the Mayor, or the Commissioner of the Prison or Alms House Department, under the penalty of fifty dollars for each offence.

§ 7. All reports of the Keeper of the City Prison, which by the ordinance are now directed to be made to the Superintendent of the Alms House, shall in future be made to the Commissioner of Prisons.

§ 8. The Commissioner of the Prison Department may furnish to the Commissioner of the Alms House Department, such articles as he may require on such terms as they may agree.

§ 9. The Keepers of the Prisons shall make their requisitions in writing on the Commissioner of the Prison Department for all articles used in the Prisons, and shall keep an account of the same.

DOCUMENT No. 62.

BOARD OF ALDERMEN,

FEBRUARY 7, 1842.

Report of the Committee on the Croton Aqueduct, in accordance with the Ordinance providing for the accountability of the Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Joint Committee on the Croton Aqueduct respectfully

REPORT:

That at a meeting held February 3, 1842, all the members being present, the following bills were presented and passed:

Workmen's wages	$630	80
Cartage of pipes	276	75
Postage and stage hire	9	88
West Point Foundry pipes	1,233	68
Amount carried forward	$2,151	11

Amount brought forward.....	$2,151 11
Ward, Stillman & Co. mending press..	173 68
H. V. B. Barker, excavating.....	245 76
Denniss & Dawson, do.....	126 00
John Ely, tools.....	29 52
William Montgomery, lead pipe.....	14 50
Ellicot & Brothers, branches	768 00
S. S. Wandell, cart	20 00
	$3,528 57

Ellicot and Brothers, pipe, payable in Stock $5,156 00

MOSES G. LEONARD,
RICHARD S. WILLIAMS,
F. R. LEE.

DOCUMENT No. 63.

BOARD OF ALDERMEN,

FEBRUARY 7, 1842.

Report of the Committee on Public Offices and Repairs, in accordance with the Ordinance providing for the accountability of the Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on Public Offices and Repairs respectfully

REPORT:

That at a meeting held February 3, 1842, a majority being present, the following bills were passed and ordered to be paid:

	Fire Department.	Repairs and Supplies.
Workmen's wages.....	$452 89	$482 38
Edwin Nichols, ...	21 62	
James A. Coffin.....	141 35	
Aaron King.....		86 26
Amounts carried forward	$615 86	$568 64

	Fire Department.	Repairs and Supplies.
Amounts brought forward....	$615 86	$568 64
Schenck & Downing.....		82 23
Henry Worral & Co		78 23
I. H. Bowee.....		38 94
M. O'Connor.....		25 87½
David Vandervoort.....	25 00	
Henry Cahune	23 50	
Geo. W. Fordham		26 00
Thomas Lawrence.....	20 31	
William O. Webb.....		14 00
W. W. Brady	9 13	
N. Donnely		8 94
A. Stewart.....	8 00	
B. W. Blydenburgh		2 63
N. G. Castro		34
James Smith	13 60	
Thomas S. Timpson	70 80	
	786 20	845 82½
	845 82½	
	$1,632 02½	

FREDERICK R. LEE,
C. B. TIMPSON,
C. BALIS.

DOCUMENT No. 64.

BOARD OF ALDERMEN,

FEBRUARY 7, 1842.

The Finance Committee, to whom was referred the Annual Estimate of the Revenues and Expenditures of the Mayor, Aldermen and Commonalty of the City of New York, for the year 1842, *with the amount necessary to be raised by tax,* (*see Document No.* 48,) *presented the following Report, with a draft of a Law to be presented to the Legislature for authority to raise money by Tax; together with the Ordinance making Appropriations for the Expenditures of the Corporation for* 1842. *Whereupon the Report was accepted, and the Law to be presented to the Legislature adopted, and directed to be sent to the Board of Assistants for concurrence. The Ordinances were laid on the table.*

SAMUEL J. WILLIS, CLERK.

The Committee on Finance, to whom was referred the communication of the Comptroller in relation to the receipts and expenditures of the year 1842, and the amount required

to be raised by tax to meet the deficiencies of the year, respectfully

REPORT:

That upon examination they are satisfied that it is necessary to apply to the Legislature for power to levy by tax the sum of one million one hundred thousand dollars, in addition to the taxes which the Board of Supervisors are already empowered to impose by the general laws relative to taxes in this city. They have estimated the current revenues of the general fund at $275,000, and the ordinary expenses of the government at $1,021,000

Of the Lamp Department	120,000
Of the Watch Department	234,000
	$1,375,000
Less revenue	275,000
Ordinary expenditures over ordinary revenues	$1,100,000

equal to an average tax of 43 cents on each $100 of valuations.

By existing laws other taxes are to be imposed for the following purposes:

To redeem the Floating Debt	$50,000
To support Public Schools	95,000
To assess the Tax	14,500
To collect the Tax	28,500
	$188,000

or 7½ cents additional, making the average rate for the next year, exclusive of the water tax, at a fraction over 50 cents per each $100. The water tax, which must be imposed this year, will sensibly increase the burdens of the citizens; but even in the event that no revenue is derived from the aqueduct, the increase on this account will not exceed 17

cents, making the whole tax 67 cents per each $100. While your Committee are of opinion that the time has arrived when the Common Council should hesitate at, and well consider every project leading to expenditure, and refrain from authorizing any contract not absolutely necessary, and require the most rigid economy in administering the government, in order that the water debt may be, as far as possible, unfelt by our tax-paying citizens; yet they deem it advisable to procure from the Legislature adequate power to meet any and every emergency, leaving it to the necessities of the Corporation, and the wisdom of the Common Council, to determine, as it arises, how much of this power shall be exercised; they therefore recommend the usual application to be made, under the direction of the Finance Committee, to the Legislature, asking for the passage of the bill annexed; but in the appropriation bills which they offer, they have proposed the amounts below the estimates of the Comptroller.

JAMES POLLOCK,
EGBERT BENSON,
M. G. LEONARD.

AN ACT

To enable the Supervisors of the City and County of New York, to raise money by Tax.

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§ 1. The Mayor, Recorder, and Aldermen of the City of New York, as the Supervisors of the City and County of New York, of whom the Mayor or Recorder shall be one, are hereby empowered, as soon as conveniently may be, after the passage of this Act, to order and cause to be raised by tax on the estates, real and personal, of the freeholders and inhabitants of, and situated within the said city, and to be collected, a sum not exceeding seven hundred and forty-six thousand dollars, to be applied towards defraying the various contingent expenses, properly chargeable to the said City and County, and such expenses as the Mayor, Aldermen and Commonalty of the City of New York may, in any manner sustain or be put to by law; and also such further sum by a tax as aforesaid, as is required by law to be raised by tax in the said city for the support of common schools, and as may be necessary for supplying the deficiency of taxes upon any one and every one of the wards of the said city, imposed or laid during the year one thousand eight hundred and forty-one, owing to the insolvency of the Collectors of the said wards, or any or either of them or their sureties, or their inability to collect the said tax; and also for defraying the whole of the expenses for assessing and collecting the taxes to be raised as aforesaid (such deficiencies however to be assessed on the estates, real and personal, of the freeholders and inhabitants of and situated within the wards respectively where they shall happen as aforesaid). And also,

a further sum not exceeding two hundred and thirty-four thousand dollars by tax, on the estates real and personal, of the freeholders and inhabitants of, and situated within that part of the city of New York, which may be designated by an ordinance or resolution of the Common Council of the said city, as the "Watch District," to be applied towards defraying the expenses of watching and guarding such part of the said city; and also a further sum, not exceeding the sum of one hundred and twenty thousand dollars by a tax on the estates, real and personal, of the freeholders and inhabitants of, and situated within that part of the city of New York which may be designated by an ordinance or resolution of the said Common Council, as the "Lamp District," to be applied towards defraying the expenses of lighting such part of the said city last mentioned; and also such further sum by tax, as aforesaid, as may be necessary for supplying the deficiencies of taxes upon all that part of the city constituting the watch and lamp districts, during the year one thousand eight hundred and forty-one, owing to the insolvencies of the Collectors of any of the wards of the said city, and their sureties, or their inability to collect the said tax, and also for defraying the expenses of assessing and collecting said taxes: such deficiencies, however, to be assessed upon the estates real and personal, of the freeholders and inhabitants of, and within the said wards respectively, where they shall happen as aforesaid, within the districts aforesaid.

§ 2. The said several sums of money shall be assessed and collected in the manner provided by law for the assessment and collection of taxes within this State, except so far as the same may be contrary to the provisions contained and referred to in the act entitled "An Act respecting the collection of Taxes in the city of New York," passed April 6th, 1825, and in the Act to amend the same, passed April 20th, 1830: also in the fourth section of the Act entitled "An Act to enable the Mayor, Aldermen and Recorder, of the

city of New York, to raise money by tax," passed March 10th, 1820: also in the Act entitled "An Act authorizing a per centage to be added to unpaid taxes in the city of New York," passed April 13th, 1835: and also in the Act entitled "An Act to amend the Act respecting the collection of taxes in the city of New York," passed April 13th, 1839, which said provisions, so far as they relate to the assessment and collection of all or any taxes in the city of New York, are hereby declared to be in full force and effect; and each person's tax in every separate ward of the said city, shall be collected in one payment, and the money so collected shall be paid into the hands of the Treasurer or Chamberlain of said city, at such times and in such manner as directed by law.

AN ORDINANCE

Making Appropriations for other than the ordinary expenditures of the Corporation for the year 1842.

The Mayor, Aldermen and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

That the following sums be, and the same are hereby appropriated for the payment of claims under the heads of account herein respectively named:

Streets, Opening	$ 58,000
Streets, Regulating and Paving	120,000
Liens on Lots,	6,000
Wells and Pumps,	8,000
Fencing Lots,	3,000
Cleaning private Docks and Slips,	16,000
Charges on Arrears of Assessments,	3,000
Charges on Arrears of Taxes,	5,000
Croton Aqueduct,	900,000
Water Pipes,	250,000
Interest on City Permanent Debt,	90,000
" on Streets, Paving	15,000
" on Fencing Lots,	1,000
" on Wells and Pumps,	500
" on Water Stocks,	550,000
" on Revenue Debt,	29,000
" on Assessment Debt,	13,000
Redemption of Debt,	2,030,635

AN ORDINANCE

TO MAKE APPROPRIATIONS FOR THE ORDINARY EXPENDITURES OF THE CORPORATION, FOR THE YEAR 1842.

The Mayor, Aldermen and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

That the following sums be, and the same are hereby appropriated, for the payment of claims under the heads of accounts, herein respectively named:

Alms House	$250,000
Board of Health	5,000
County Contingencies	20,000
Courts	25,000
Coroner's Fees	3,000
Charities	5,000
Cleaning Streets	80,000
Commutation of Alien Passengers	100
Charges on Arrears of Taxes	500
Cleaning Corporation Docks and Slips	5,000
Building Corporation Docks and Slips	40,000
Repairing Corporation Docks and Slips	16,000
Elections	6,500
Registration of Voters	
Roads and Avenues	16,000
House of Refuge	4,000
Intestate Estates	1,800
Justices' Courts	14,700
Lamps and Gas	100,000
Lands and Places	8,700
Markets	12,500

Mayoralty Fees	$ 70
Reservoir	5,700
Penalties	3,000
Printing and Stationery	15,000
Police	25,000
Assessments on Corporation Property	
Repairs and Supplies	20,000
Salaries	60,000
Tavern and Excise Licenses	1,200
Watch	230,000
Street Expenses	30,000
Fire Department	20,000

DOCUMENT No. 65.

BOARD OF ALDERMEN,

FEBRUARY 7, 1842.

Annual Report of the Superintendent of the Poor of the County of New York, to the Secretary of State. Ordered to be printed and placed on file.

SAMUEL J. WILLIS, CLERK.

The Superintendent of the Poor of the County of New York, in pursuance of the provisions of the Revised Statutes for the relief and support of indigent persons, presents to the Secretary of State his Annual Report as follows:

The number of paupers relieved or supported During the year preceding the 1st Dec. inst. was.....		23,221
The whole expense of such support was	$171,937 90	
Of this sum there was paid for transportation of paupers.....$627 60		
Of this sum there was paid for support of out door poor.....$22,639 12—23,266 72		$148,671 18
Allowance made to Superintendent		1,000 00
Allowance made to Keepers and Officers		9,326 78
The actual value of the labour of the paupers maintained was.....		27,551 96
The sum actually expended, over and above the labor and earnings of the paupers, divided by the average number kept during the year, gives 51 dollars 27 cents and 9 mills per year, or 98 cents 6 mills per week as the actual expense of keeping each pauper.		
The County Poor House has 250 acres of land attached to it, and the whole establishment is valued at.....		600,000
The number of persons in the Poor House on the 1st Dec. instant, was		2991
Of this number there were of females		1243
" " " males		1748
Of the females there were of the ages of 16 years and under		161
Of the males there were of the ages of 16 years and under		477
Of the persons relieved or supported during the year there were 2620 foreigners, 503 lunatics, 32 idiots, and 9 mutes: of the mutes 6 were between the ages of 10 and 25 years.		

The number of paupers received into the Poor House during the year was.....	4476
Born in the Poor House.....	124
Died during the year.....	922
Bound out	370
Discharged.....	3371
Absconded	108
Average number of children who attended school during the year five hours each day.	431

JOHN MYER,

Superintendent.

DOCUMENT No. 66.

BOARD OF ALDERMEN,

FEBRUARY 7, 1842.

Annual Report of the Trustees of the Sailors' Snug Harbor. Ordered on file and to be printed for the use of the members.

SAMUEL J. WILLIS, CLERK.

To the Honorable the Mayor, Aldermen and Commonalty of the City of New York:

The Annual Report of the Trustees of "The Sailors' Snug Harbor," showing the Receipts and Disbursements on account of the Trust, from 31st December, 1840, to 31st December, 1841, also the present state of the funds and estimates of the income for the year 1842.

RECEIPTS.

Balance of Cash on hand 31st December, 1840	$2,303 31
Dividends on Bank Stocks	881 00
Interest on Bonds and Mortgages	8,021 60
Outstanding Interest collected	164 50
Ground Rent of Lots in Fifteenth ward for 1841	19,885 69
Ground Rent of Lots in First ward	2,850 00
Outstanding Ground Rent collected	1,297 13
Proceeds of Sundries sold from the Farm, Board of Mechanics employed on the buildings, &c.	1,191 35
Consents to transfer Leases $48; Scaffolding sold $32 25	80 25

DISBURSEMENTS.

On account of Building the West wing		$3,572 72
On account of Building the East wing		3,051 24
Repairs and Improvements to the main building		859 64
Improvements to the Farm, Repairing Roads, &c.		597 04
Taxes and Assessments for Staten Island and New York City		460 32
Salaries of Rev. Messrs. Mulligan & Fraser (Chaplains)		520 00
Expenses of the Farm, including Wages of Farmer and Assistant Farmer		949 05
Wages of the Gardener (nine months)		140 00
Annual Legacy to Betsey Shields		100 00
Salaries and Contingent Expenses		2,922 82
Premium of Insurance		144 58
Interest on Note discounted by Manhattan Company		95 50
Library for the Institution		402 12
Books and Stationery		2 50
		$13,817 53
Groceries, Bread, Light and Fuel	$3,951 38	
Butcher's bill for supplies of Beef	1,937 58	
Wages of Steward, Baker, Cook, Matron and Nurses	1,401 00	
Wearing Apparel for the Men	808 47	
Furniture and Bedding	729 29	
Medicine and Attendance	491 70	
Shoes and Mending	249 60	
Freight and Tickets for Steamboat	165 53	
Board and Funeral Expenses of E. Glover, at Bloomingdale Asylum	139 41	
Refreshments for the Trustees	76 22	
Funeral Expenses of deceased Inmates	57 00	
		10,006 88
Balance of Cash on hand 31st December, 1841		12,850 42
	$36,674 83	$36,674 83

OUTSTANDING RENT SINCE NOVEMBER 1, 1841.

John C. Clussman	$ 65 00	
William D. Disbrow	28 05	
Dudley Selden	80 00	
William B. Lawrence	185 00	
James Blackstock	62 50	
Waldron B. Post	35 00	
Isaac Gibson	35 00	
Samuel Sherwood	70 00	
Henry Ibbotson	35 00	
Catharine I. Harrison	20 00	
Cornelius Heyer	56 25	
John Cooper	37 50	
Amicartha Miller	37 50	
Thomas J. Oakley	65 00	
P. L. Vandervoort	36 88	
Gordon Burnham	36 88	
Levi Coit	27 50	
Nicholas H. Brigham	52 50	
William P. Hallett	437 50	
William Borrowe	260 00	
		$1,663 06

OUTSTANDING INTEREST SINCE NOVEMBER 1, 1841.

William B. Lawrence	$315 00	
Mary Okill	300 00	
		$615 00

ESTIMATED INCOME FOR THE YEAR 1842.

Ground Rent of Lots in Fifteenth Ward	$21,548 75	
Ground Rent of Lots in First Ward	2,850 00	
Interest on Bonds and Montgages	8,636 60	
Dividends on Bank Stock	881 00	
		$33,916 35

Errors excepted.

NEW YORK, 31st December, 1841.

W. S. GREENLEAF, *Treasurer.*

The Executive Committee of the Board of Trustees of "The Sailor's Snug Harbor," having attended to the duties assigned them pursuant to a standing order of the Board, do

REPORT:

That they have carefully examined the Treasurer's Accounts, from the 1st January to 31st December, 1841, and have compared the several vouchers; also the evidence of the Bank Stock and of the Bonds and Mortgages, and have found the same to be correct, and that there is a balance of cash in favor of the Trustees of twelve thousand eight hundred and fifty dollars and forty-two cents.

ISAAC CAROW, *President Chamber of Commerce, and Chairman Executive Committee.*

THOMAS H. MERRY,
Vice President Marine Society.

ROBT. H. MORRIS,
Mayor of the City of New York.

NEW YORK, 31st December, 1841.

DOCUMENT No. 67.

BOARD OF ALDERMEN,

FEBRUARY 21, 1842.

Report of the Special Committee on the Application of Washington Irving, Benjamin F. Butler, and others, for the erection of a Statue of Washington. Laid on the table and ordered to be printed.

SAMUEL J. WILLIS, CLERK.

The Committee to whom was referred the annexed memorial of Washington Irving, William C. Bryant, James K. Paulding, Benjamin F. Butler, and others, soliciting the erection of a statue of Washington, by James V. Stout, beg leave respectfully to

REPORT:

That in company with other members of the Common Council they have examined a bust, the model in part of the proposed statue of Washington, at the rooms of the artist; that they have been impressed with the force and vigor of conception exhibited in the countenance, and the decided

genius with which the work, so far advanced, is executed. The artist has chosen the period of manhood in the life of Washington; and the bust, without deviating from the well known and universally recognized features of the Father of his Country, exhibits the ideal of manly beauty and statesman-like dignity. Taken altogether, the design gives promise of such a statue as would prove satisfactory to the long cherished hopes of the citizens of New York.

On a subject of so much interest your Committee feel themselves bound to enter into a more particular detail of the plan and conditions under which the artist proposes this statue shall be constructed. It is the desire of the sculptor (a desire in which your Committee fully concur) to erect a statue of twelve feet in height, to be placed on a suitable pedestal, and to stand in the open air.

The commencement of this work would be the preparation of the model, for which, fully completed, an appropriation is desired by the artist of ten thousand dollars. This model would be the essential part of the work, exhibiting all the peculiar genius of the sculptor; the rest, its execution in marble, requiring chiefly *mechanical* practice. The model is not perishable at once. It will last, with care, for five hundred years. There are models of that age in the Cathedral at Florence, and nearly perfect.

That the erection of such a statue of Washington as is now contemplated and advised by your Committee, comes within the legitimate powers of a municipal body, cannot reasonably be doubted.

The subject of the statue is one upon which there is no cavil or disagreement; opposite sects and parties;—all who are lovers of their country, by whatever political or religious name they are known, unite in gratitude to him. No eulogy on Washington is required—and therefore, for so much of the matter as relates to the subject of the statue, your Committee will presume upon the unanimous and hearty concurrence of the Common Council.

The rapidly advancing metropolitan character of the city, it appears to your Committee, calls imperatively for a work of this kind and importance.

The city needs public ornaments that shall be the property of the citizens; in which the poorest may feel that he has his own rights, and look with pride to his own work of art. It has been the practice of all States, and especially of all republics, to cherish such works; that the people may be the more endeared to their form of government, and be always mindful of their true national benefactors. Such works are "*the cheap defence of nations;*" they speak vividly to the eye and to the mind—a statue tells but one story; it has no false readings or perversions; it cannot lie; its speaks only of honor and true glory. It is believed by your Committee that this work would prove one of the best guardians of the city. It was the saying of one who spoke wisely of human nature, of a pure and beautiful picture, "that no mean action could be done in its presence." Something of this moral influence would be disseminated by a statue of Washington; preserving to us the greatness and aspect of virtue he wore when living; a countenance that repelled every thing that was base or ignoble.

The work, it appears to your Committee, is especially demanded at this time. As a matter of city pride, it has been neglected too long. The Capitol has her statue of Washington: Boston has hers; and we are bound by the tenure by which New York holds her pre-eminence, to place ourselves in the front rank.

To the cost of the work your Committee believe that every householder and voter of your city will contribute cheerfully; that it would create general enthusiasm, and that this Common Council would but anticipate the wishes of the people by making an appropriation to raise a monument to Washington.

The public press in this city and throughout the country, have spoken freely and favorably (and without dissent) of

this project; and have avowed their intention to aid, as far as they can, in this noble enterprise; and even the stranger is pleased with the plan; feeling, in some degree, that Washington belongs to other lands as well as this. The alliance of the subject with the art of the statuary, is another happy feature. The art *alone* is acknowledged to be an index of the refinement of a people, and it seems to have been created for the high purpose of reproducing and perpetuating all that is bright and beautiful that otherwise would slowly fade away; for now, amid the ashes of nations that rose and fell, far, far away in the past, do we not see "*arisen again*" the resemblance of their mighty dead—arisen again to rekindle the glories of their country—and standing forth in their new life as full of strength as they stood centuries before the Christian era. *Such is the durability of sculpture*, and such the proud privilege we may enjoy of marking, in imperishable letters, the brightest part of the story of our land.

For the talents of the sculptor, we may add our own convictions of his genius from the examination of the model, to the sense of the public favor shown in the success of his exhibitions of statuary, and the character given to his application by the names of the petitioners. Never has come before your Honorable Board a more respectable petition; it includes names belonging to the highest in each of the learned professions, representatives of the merchants and of the useful arts. Among those names is one, that of John Trumbull, who is gratefully associated with the history of his country, who was the personal friend of Washington. It is understood to be his desire, if the work be commenced speedily, to assist at laying the *foundation stone;* and in the opinion of your Committee to no man now living could such an honor be more properly awarded. Your Committee have been addressed by several of the signers of the *memorial*, among them Mr. Butler and the *Rev. Dr. Hawks.* These gentlemen promise (in the event of the Common Council making the above named appropriation) that they

will give their every influence to place the model in marble. Dr. Hawks compared Mr. Stout's power as a sculptor, with the most famous sculptors of Europe, saying—"I have seen the finest works of statuary abroad, and several of the best *statues of Washington*, and I believe from what I have seen of Mr. Stout's work, that his Washington will, at least, *be equal to any*." This high praise was truly gratifying.

Mr. Stout is a native of the City of New York. Born and bred amongst us he is peculiarly our own artist; and it is with equal pleasure and pride that your Committee report, that after a careful investigation of his merit, that they are of opinion that James V. Stout is second in merit to no living sculptor. Heretofore (with the exception of Greenough) we have been obliged to employ foreign artists to give us statues of Washington. Distinguished sculptors are rarely to be found, even in the old countries; and when we are so fortunate as to find one of native growth amongst ourselves, your Committee think we ought not to defer this subject; for we greatly fear, if after spending so much time and labor to attain to perfection in his art, his own, his native city should now refuse to encourage him, that hereafter, when we may awake to a just sense of our duty, our own Stout will have sought a more appreciating country. Dr. Hawks stated to your Committee that the statue of Washington, at Raleigh, by Canova, cost fifty thousand dollars, although it was merely life size. From this, it will be perceived that the proposed statue, being extremely colossal will cost a large sum.

The statue proposed is to be twelve feet high, which, with a proper proportion in breadth and depth, makes the figure eight times as large as life, and a statue of this size would cost sixty thousand dollars. If the city appropriate ten thousand dollars for the model, the friends of this cause expect to procure the remaining fifty thousand dollars through the State Legislature, (who are even now about to discuss the

question,) and from the generosity of private individuals, which has already been tendered.

Your Committee have examined all these sources, and from the examination, they fearlessly say, that they believe every dollar requisite to the full completion of the statue in stone, will be in readiness within a few months after the model shall be presented to public view.

Your Committee, in coming to the conclusion to recommend an appropriation to aid the noble enterprise before us, have not been unmindful of the situation of our city finances, and after stating the inability of the city to do at present, what, under other circumstances, we would cheerfully recommend, the artist replied to your Committee, that he would go forward with the work, in case he could receive the sum of twenty-five hundred dollars during the present year, and the remainder when the model should be completed.

Finally. Your Committee have come to the conclusion, that they do but consult the desires and wishes of the people of the City of New York, when they offer for adoption the following resolution:

Resolved, That the sum of ten thousand dollars be appropriated for the purpose of constructing a model for a statue of Washington of the dimensions specified in the foregoing report, to be executed by James V. Stout. That twenty-five hundred dollars of said sum be advanced by the Comptroller of the City to said Stout, as the said Stout shall require the same, and that the balance be paid when the model shall be completed.

Respectfully submitted.

CALVIN BALIS,
ELIJAH H. KIMBALL.

MEMORIAL

To the Mayor and Common Council of the City of New York,

SHOWING THE PRAYER OF YOUR PETITIONERS.

We, the undersigned, impressed with the value of a noble work of Art, worthily conceived and executed and devoted to the honor of WASHINGTON; a work that shall at once be a monument of the past, a memorial of the present, and an inheritance to other times; a work National in its character, and by its presence here, of especial pride and interest to the citizens of New York: and believing that the proper time has come, the public desiring such a work, do petition that this undertaking be commenced speedily, and that James V. Stout, sculptor, as a native of New York, for motives of patriotism, and the encouragement of native talent, and above all, for his tried genius and fitness for the work, be entrusted to execute a STATUE OF WASHINGTON FOR THIS CITY.

January 1*st*, 1842.

Washington Irving,
James Kent,
Fitz Greene Halleck,
Henry Brevoort,
Francis L. Hawks,
Benj. F. Butler,
J. K. Paulding,
Wm. C. Bryant,
N. P. Willis,
Charles Anthon,
Wm. A. Duer,
John Trumbull,
Edwin Forrest,
Valentine Mott,
John W. Francis,
M. H. Grinnell,
Samuel Jones,
Benj. T. Onderdonk,
Theo. Frelinghuysen,
J. F. Schroeder,
Auguste Davezac,
F. A. Tallmadge,
J. M. Wainwright,
Maturin Livingston,
Theo. Sedgwick,
Thos. H. Skinner,
Morgan Lewis.

From S. F. B. Morse, Esq., President of the National Academy of Fine Arts, in a letter to Mr. Stout.

"Your colossal bust of Washington ranks in expression with the best I have seen; Houdon's is considered the best likeness; but you have thrown into the features of the Christian patriot and soldier, a spirit which better corresponds with his character. Houdon's is Washington asleep —your's is Washington awake and on the eve of battle."

DOCUMENT No. 68.

BOARD OF ALDERMEN,

FEBRUARY 21, 1842.

Annual Statement of the Fulton and South Ferries of the City of New York. Ordered on file.

SAMUEL J. WILLIS, CLERK.

To the Honorable the Mayor and Common Council of the City of New York:

The lessees of the Fulton and South Ferries herewith transmit the annual statements required by their lease.

The whole amount of receipts from the two ferries for the year, as will be seen by reference to the paper marked **A**, is $150,047 86.

And the whole amount paid for expenditures, as shown by the paper marked **B**, is $143,523 85.

The amount of capital employed and paid in is two hundred and three thousand dollars, divided into shares of one hundred dollars each, as shown in the paper marked **C**.

N. B. MORSE, *President.*

WILLIAM L. DEGRAUW, *Superintendent.*

Brooklyn, 1st February, 1842.

A.

STATEMENT

OF THE

Monthly Receipts of the Fulton and South Ferries, from the 1st Feb., 1841, to the 31st Jan., 1842, inclusive.

February.....	Total Receipts	.....	$	7,075 80
March	do	do		8,073 27
April	do	do		9,808 58
May.....	do	do		21,775 12
June	do	do		13,115 12
July.....	do	do		14,009 85
August	do	do		13,568 72
September.....	do	do		12,977 87
October.....	do	do		12,381 49
November	do	do		19,005 28
December	do	do		9,700 87
January.....	do	do		8,555 89
				$150,047 86

B.

STATEMENT

OF THE

Expenditures of the Fulton and South Ferries from the 1st February, 1841, to the 1st February, 1842.

1841.		
February.—Paid M. Rickman for coal, $28; Schenck & Bryan for oats, $15 45	$ 43 95	
Paid R. Bowne for use of boat	24 50	
J. De La Roi, for a canvass jacket	7 00	
Bishop and Simonson for ship carpenters' work	398 43	
James McFarlan for sundries	33 19	
James E. Hathaway for lumber	126 60	
Allaire Works for repairs to engines, &c.	193 16	
the Delaware and Hudson Canal Company on account of coal	2,000 00	
William Roach for pine wood	153 00	
William L. Degrauw on account of salary as Superintendent	200 00	
John E. Cornwell on account of salary as Assistant Superintendent	150 00	
		$3,329 83
March.—Paid monthly wages of men employed on the ferries	2,857 80	
Paid J. Crane for pine wood	176 25	
Bishop & Simonson on account of Troy Boat "Suffolk"	500 00	
Bishop & Simonson for repairs to boats	1,000 00	
Allaire Works for repairs to engines, &c.	1,019 91	
Amounts carried forward	$5,553 96	$3,329 83

1841.	Amounts brought forward.....	$5,553 96	$3,329 83
March.—Paid A. Webb for camphine, $14 50;			
	J. McFarlan for sundries, $52 37..	66 87	
	Paid D. Fay for tallow, $120 33; J. Cox for interest, $35.....	155 33	
	Bishop & Simonson for oak timber..	56 30	
	Delaware and Hudson Canal Company on account of coal.....	2,000 00	
	N. B. Morse for counsel fees, $50; Colborn & Co. for joist, $12 38....	62 38	
	Waterhouse & Balch for joiners' work	150 00	
	Bishop & Simonson on account of the "Suffolk".....	500 00	
	William Day for water wheel timber.	388 50	
	E. Colborn & Co. for lumber, $18 31; J. Eddy for lumber, $15 06.....	33 37	
	C. Smith for pine wood.....	52 50	
			9,019 21
April.—Paid James & Brothers for stoves, &c.		39 25	
	Paid E. B. Stryker for an iron safe.....	26 50	
	John E. Cornwell for sundries.....	61 67	
	Bortman & Smith for painting.....	17 50	
	Atlantic Bank for interest.....	129 45	
	R. Brooks for camphine	10 35	
	Bunker & Clark for inspecting boats..	60 00	
	Monthly wages of men.....	2,846 68	
	A. Birkbeck & Son for repairs.....	310 00	
	Bishop & Simonson on account of the "Suffolk".....	500 00	
	Long Island Insurance Company for insuring boat.....	25 00	
	Waterhouse & Balch for account of joiners' work.....	200 00	
	N. Smith for carting coal	30 25	
	Delaware and Hudson Canal Company on account of coal.....	2,000 00	
	J. McFarlan for sundries.....	23 87	
	William Aymar & Co. for ship chandlery, &c.....	1,623 13	
	J. Baldwin for pine wood.....	113 75	
	Amounts carried forward.....	$8,017 40	$12,349 04

1841. Amounts brought forward.....	$8,017 40	$12,349 04
April.—Paid Waterhouse & Balch on account of joiners' work.....	300 00	
		8,317 40
May.—Paid monthly wages of men.....	2,846 68	
Paid J. S. Doughty one quarter's salary as Treasurer	100 00	
William L. Degrauw on account of salary.....	200 00	
John E. Cornwell on account of salary	150 00	
Captain Crawley for pine wood.....	130 81	
J. E. Hathaway for lumber.....	62 68	
Corporation of New York one quarter's rent of ferries.....	3,000 00	
Z. Conklin for one quarter's rent of wharf.....	100 00	
Damage to canal boat.....	62 81	
E. C. Cerwin for timber.....	47 16	
V. R. Terry for joiner's work.....	21 95	
J. Crane for cedar plank	271 84	
Delaware and Hudson Canal Company for freight of coal.....	315 00	
M. Buckman for Virginia coal.....	19 00	
E. Doyle for sperm oil.....	33 00	
T. Mabbitt, for sperm oil	40 00	
Delaware and Hudson Canal Company on account of coal.....	3,000 00	
Semi-annual dividend to stockholders	7,105 00	
J. Crane for pine wood.....	110 50	
J. E. Cornwell for sundries, $64 81; J. McFarlan for do. $42.....	106 81	
Waterhouse & Balch for joiner's work	250 00	
D. Fay for tallow.....	70 65	
the Delaware and Hudson Canal Company, on account of coal	2,500 00	
R. Moore for caulking	29 00	
A. Birkbeck & Son for repairs to machinery	413 67	
Samuel Crawley, for pine wood	68 25	
the Common Council of Brooklyn for rent of wharves, &c., at the South Ferry, Brooklyn	971 74	
Amounts carried forward	$22,026 55	$20,666 44

1841.	Amounts brought forward	$22,026 55	$20,666 44
May—Paid William L. Degrauw on account of salary		300 00	
John E. Cornwell, on account of salary		150 00	
			22,476 55
June—Paid monthly wages of men		$2,836 68	
Paid Delaware and Hudson Canal Company on account of coal		2,000 00	
Waterhouse & Balch for joiners' work		400 00	
Phelps, Dodge & Co. for copper		205 80	
Ripley & Culver for paints		139 09	
E. Doyle for sperm oil $33; J. McFarlan for sundries $87 64		120 64	
A. Birkbeck & Son for repairs to machinery		400 57	
J. Crane for pine wood		159 38	
Bishop & Simonson on account of boat "Suffolk"		2,500 00	
Schenck & Bryon for horse feed, $25 71; R. Brooks for camphine, $11 62		37 33	
John E. Cornwell for sundries		35 68	
James Dye for pine wood		129 00	
N. B. Morse, Esq. for council fees ...		25 00	
Delaware and Hudson Canal Company for freight of coal		378 68	
Allaire Works, on account of engine and boiler for boat		2,000 00	
			11,367 85
July—Paid monthly wages of men		$2,855 18	
Paid Bishop & Simonson on account of boat "Suffolk"		1,000 00	
Waterhouse & Balch on account of joiner's work.....		300 00	
Allaire Works on account of engine and boiler for boat.....		2,000 00	
Delaware and Hudson Canal Company on account of coal		3,000 00	
C. H. & H. Leonard for sperm oil...		542 07	
Allaire Works for repairs to machinery		234 78	
	Amounts carried forward.....	$9,932 03	$54,510 84

1841.	Amounts brought forward....	$9,932 03	$54,510 84
July.—Paid William M. Udall for ship chandlery		54 47	
Paid Atlantic Bank interest on loan		132 33	
Laborers for piling coal		17 25	
A. Spooner & Son for printing		46 17	
Pierson & Co. for iron		251 87	
Bunker & Clark for inspecting boat		20 00	
John Dikeman, Esq. counsel fees		20 00	
A. Birkbeck & Son for repairs to engines, &c.		200 00	
David Fay for tallow		102 87	
Langshore & Ribbit for timber		12 25	
Waterhouse & Balch for joiners' work		150 00	
John E. Cornwell for sundries		22 78	
Joseph Riley for cushions		64 75	
D. C. Kingsland for injury to carriage		17 37	
Sherwood & Knap for lumber		14 17	
J. Morse for bells, &c.		24 00	
William L. Degrauw on account of salary		200 00	
John E. Cornwell on account of salary		150 00	
Waterhouse & Balch for joiner's work		100 00	
Captain Dorie for pine wood		146 62	
Bishop & Simonson an account of boat "Suffolk"		1,000 00	
			12,678 93
August.—Paid monthly wages of men		2,863 35	
Paid Allaire Works for repairs to machinery		471 00	
Z. Conklin for one quarter's rent of wharf		100 00	
J. S. Doughty one quarter's salary as Treasurer		100 00	
Common Council of Brooklyn one quarter's rent		550 00	
Common Council of New York one quarter's rent of ferries		3,000 00	
Allaire Works on account of engine and boiler		2,000 00	
D. Y. Schenck for horse feed		23 10	
Amounts carrried forward		$9,107 45	$67,189 77

1841.	Amounts brought forward....	$9,107 45	$67,189 77
August.—Paid John Hyer for wharfage.....		63 19	
Paid Delaware and Hudson Canal Company on account of coal.....		3,000 00	
Laborers for piling coal $16 25; Leary for repairing cart $20 32.....		26 57	
Allaire Works on account of engine and boiler.....		325 23	
Bishop & Simonson on account of boat "Suffolk".....		1,000 00	
Samuel Anderson for pine wood.....		163 28	
G. C. Langdon for tubes $6 94; Baylis & Brown for spars $6 75.....		13 69	
R. R. Story for leather hose.....		21 00	
			13,720 41
September.—Paid monthly wages of men ..		2,887 68	
Paid Delaware and Hudson Canal Company on account of coal.....		3,000 00	
J. McFarlan for sundries.....		16 43	
Langshore & Ribbit for lumber.....		96 38	
Shepard & Thomas for lumber.....		36 43	
Waterhouse & Balch for joiner's work		101 38	
John Clayton for carpenter work		23 37	
A. J. Allaire for plumber's work.....		22 92	
Allaire Works on account of engine and boiler.....		3,250 00	
William L. Degrauw on account of salary.....		200 00	
Laborers for piling coal.....		29 50	
John E. Cornwell for sundries.....		33 62	
David Fay for tallow.....		73 88	
For damage to steamer Mohegan....		186 78	
Delaware and Hudson Canal Company on account of coal.....		2,000 00	
G. W. Stilwell for door springs.....		10 25	
John Clayton for carpenter's work...		15 12	
John Hyer for wharfage		16 50	
E. Colborn for spruce plank		10 83	
G. W. Seely for a bed.....		20 00	
Laborers for piling coal.....		18 75	
Amounts carried forward....		$12,049 82	$80,910 18

1841. Amounts brought forward....	$12,049 82	$80,910 18
September.—Paid J. Crane for pine wood..	106 88	
Paid Samuel Hazleton for pine wood....	199 12	
Morse & Rolfe counsel fees.....	20 00	
		12,375 82
October.—Paid monthly wages of men.....	2,887 68	
Paid John E. Cornwell on account of salary	150 00	
Delaware and Hudson Canal Company, on account of coal	4,000 00	
Interest to the Atlantic Bank.....	132 33	
John Clayton for carpenter's work...	13 06	
D. T. Schenck for horse feed	32 09	
Phelps, Dodge & Co. for copper.....	235 50	
Samuel Hazleton for pine wood.....	163 28	
Bunker & Clark for inspecting boats.	120 00	
Donelson & Albertson for oak plank, &c.....	266 32	
James H. Murray for hay	20 25	
Allaire Works on account of engine and boiler.....	750 00	
William Aymar & Co. for paints and ship chandlery.....	725 55	
John Clayton for carpenter's work...	13 06	
Thomas Edge for iron washers.....	29 80	
Laborers for piling coal.....	19 50	
Hannah & Launy for coppersmith work.....	152 33	
Delaware and Hudson Canal Company for freight of canal.....	1,258 05	
John E. Cornwell for sundries.....	28 37	
T. W. Murdock for a pump.....	6 00	
Whiting & Bloomfield for oak plank, &c.....	90 63	
Hendricks & Brothers for copper....	34 06	
Laborers for piling coal.....	18 00	
Shepard & Thomas for lumber.....	72 91	
Bishop & Simonson on account of boat "Suffolk".....	1,000 00	
A. D. Southworth for fenders.....	110 92	
Amounts carrried forward.....	$12,329 69	$93,286 00

1841.	Amounts brought forward	$12,329 69	$93,286 00
	Floating Dry Dock Company for raising boat	79 50	
	A. Birkbeck & Son for repairs to machinery	300 00	
			12,709 19
November.—Paid	Hendricks & Brothers for copper	97 56	
Paid	Henry Dean for sperm oil	75 22	
	A. V. H. Webb for camphine.....	56 87	
	Corporation of New York for one quarter's rent	3,000 00	
	Corporation of Brooklyn for one quarter's rent	550 00	
	J. S. Doughty, Treasurer, one quarter's salary.....	100 00	
	Monthly wages of men.....	2,887 68	
	William L. Degrauw on account of salary.....	200 00	
	John E. Cornwell on account of salary	75 00	
	Z. Conklin for one quarter's rent of wharf.....	100 00	
	John Cox for loan and interest	522 00	
	Allaire Works for sundry repairs....	569 36	
	Samuel Hazleton for pine wood	122 50	
	John Clayton for carpenter's work...	13 75	
	R. Brooks for camphine.....	11 32	
	Allaire Works on account of engine and boiler.....	2,000 00	
	Semi-annual dividend to stockholders	7,105 00	
	David Fay for tallow.....	104 29	
	John Clayton for carpenter's wages ..	11 00	
	Samuel Hazleton for pine wood.....	124 61	
	Taxes on Fulton Ferry to the City of Brooklyn	247 50	
	Discount on uncurrent bills.....	21 04	
	Keeler & Ostrow for brick.....	6 66	
	Farr & Fowler for a vice	11 00	
	Thomas Frazier for stove, &c.....	11 51	
	W. Day for a map of Fulton Ferry ..	10 00	
	Amounts carried forward.....	$18,033 87	$105,995 19

1841.	Amounts brought forward....	$18,033 87	$105,995 19
November.—Paid Allaire Works for repairs of machinery, &c.....		639 37	
Paid monthly wages of men		2,887 68	
Bishop and Simonson for ship carpenters' work		315 45	
P. Caraway for labor.....		26 00	
N. Comstock for sperm oil.....		30 18	
Laborers for piling coal.....		33 75	
Langshore & Ribbit for lumber.....		16 76	
Damages for running over a small boat		187 71	
E. C. Corwin for repairing racks, &c.		163 99	
			22,334 76
December.—Paid Shepherd & Thomas for lumber		80 42	
M. Buckman for coal.....		38 58	
John Clayton for carpenter's wages..		13 06	
N. Ferguson for pine wood.....		145 25	
Hendricks & Brothers for copper....		79 87	
Samuel Brown for one cask oil		32 30	
Allaire Works for repairs.....		68 42	
Thomas W. Murdock for a pump....		6 00	
Samuel Hazleton for pine wood.....		158 37	
William Aymar & Co. for ship chandlery, &c.		1,111 98	
James Dye for pine wood.....		136 50	
John E. Cornwell for sundries		35 89	
John Clayton for carpenter's wages..		13 06	
Discount on uncurrent bills		17 59	
J. Moore for bells		18 00	
H. Dikeman for hardware $81 42; D. Squier for pine wood $99 75.....		181 17	
J. L. Mott for repairing stoves $29 26; D. Southworth for fenders $6 50..		35 76	
D. Fay for tallow $117 55; W. Glenn for wheelbarrows $20.....		137 55	
J. W. Farlan for sundries $13 84; Phelps, Dodge & Co. for copper $422 41		436 25	
Delaware and Hudson Canal Company for freight of coal.....		933 40	
Amounts carried forward		$3,679 42	$128,329 95

1841.	Amounts brought forward.....	$3,679 42	$128,329 95
December.—Paid Allaire Works on account of engine and boiler		2,000 00	
Paid E. Gifford for pine wood		88 38	
Hannah & Launy for coppersmith work		153 61	
H. N. Conklin for lumber $16 71; J. Clayton carpenter's wages $11 68.		28 59	
Laborers for cording wood		6 00	
William L. Degrauw on account of salary.....		200 00	
John E. Cornwell on account of salary		150 00	
1842.			6,306 00
January.—Paid monthly wages of men.....		2,926 00	
Paid Pierson & Co. for iron, &c.....		423 40	
J. O. Donel for paving $17 25; J. L. Eddy for lumber $13 14.....		30 39	
Bishop & Simonson on account of the boat "Suffolk".....		2,000 00	
N. B. Morse on account of counsel fees.....		50 00	
Kiersted, Warner & Co. for paints, &c.....		116 65	
D. T. Schenck for oats $40 97; R. T. Powell for stoves, &c. $84 10.....		125 07	
R. Atwater for stoves, &c. $47 25; S. Mott for oats and straw $15 18..		57 43	
C. & H. Leonard for sperm oil.....		411 14	
Delaware and Hudson Canal Company on account of coal.....		2,000 00	
Atlantic Bank interest on loan		132 33	
J. Clayton carpenter's wages $16 50; G. C. Langdon for stoves, &c. $8 57		25 07	
Thomas W. Murdock for stanchions $7 50; T. Sith for horse shoeing $26 48.....		33 98	
Long Island Bank for one year's interest on loan.....		525 00	
William Flintoff for sundries.....		31 44	8,317 90
			$143,523 85

A LIST OF THE STOCKHOLDERS

OF THE

New York and Brooklyn Union Ferry Company, February 1st, 1842.

	No. of Shares.		No. of Shares.
Elijah Abrams,	1	N. J. Becar	7
Benjamin Aymar	10	James Benkard	4
William Aymar	3	Jos. Bishop	4
Elizabeth Alexander	5	Alexander Birkbeck	3
Alfred Aldworth	1	William Brown	1
James Alcock	3	Benjamin F. Burling	2
Ruth Black	7	John Bergen,	4
Robert Bach	11	S. T. Champney	1
Jon. C. Bartlett	1	Robert Campbell	2
Isaac Barnes	6	Richard Cadmus	3
Gerret Bergen	4	Thomas J. Chew	2
Jacob Bergen	6	Owen Colgan	1
Cornelius Bergen	1	A. J. Cotheal, Exr	2
Jacob L. Bergen	1	A. V. Cortelyou	1
Isaac H. Bergen	1	W. J. Cornell	1
J. D. Beers	10	Peter C. Cornell	1
Simeon W. Barney	1	Sarah Cornell	2
Henry Beadell	1	Miles Cook	3
William B. Bolles	5	David Cooper	1
F. E. Berger	71	John A. Cross	2
Elizabeth Bertram	3	Haz. Coffin	7
A. D. Berry	2	N. R. Cowenhoven	7
George G. Bennet	6	O. Coles and others	30
Winant P. Bennet	1	H. H. Cox	5
John Benson	5	H. H. Casey, in trust	2
Jacob Bergen	7	Clement Davidson	2
Townsend Bedell	4	Benjamin W. Davis	1

	No of Shares.		No. of Shares.
William R. Dean.....	1	L. H. Holmes.....	1
M. W. Demerest	1	F. Hourdequin	7
Abraham Degrauw	3	Charles Hoyt	16
James A. Degrauw	11	Holdford, Brancker & Co.	3
L. V. Deforest	1	Harry Hyde	2
Charles De Mott	8	Jarvis Jackson	1
John De Mott.....	2	John Johnson	2
John De Bevoise	4	Samuel J. Jones.....	2
Downing & Lawrence ..	5	C. Joost.....	2
Dr. Embury.....	3	David Johnson	8
D. Embury, Cashier ...	5	C. N. Kiersted	13
Maria Faulkner.....	2	James G. King.....	56
William Forbush.....	1	John A. King.....	12
James Foster	3	Josiah Kissam	1
Frye & Shaw.....	1	William Kumbel.....	2
Augustus Graham.....	1	William Kemble	25
Samuel I. Gerrisson	3	William Kelly	1
John S. Gerrisson.....	2	Jacob R. LeRoy.....300	
George Gilfilland.....	1	J. B. Lasala, in trust....	75
Warren A. Griffen.....	2	Jno. R. LeCount	3
M. Hart.....	1	Starks W. Lewis	5
S. Haynes.....	2	Elijah Lewis	4
A. D. Hall	2	Leffert Lefferts.....	6
Est. E. Hawxhurst	4	LeRoy & Perry	80
John Haggerty.....	8	Moses Little.....	7
William Henry Hayes ..	1	William Hall Long.....	1
C. J. Henshaw.....	13	Jeremiah Lott	1
F. H. Hebard.....	1	John A. Lott.....	2
W. T. Henrickson.....	1	Isaac C. Loper.....	2
John Hillman.....	8	William Ludlum.....	10
Robert T. Hicks.....	3	N. Luquer	6
John G. Hicks	7	George Marvin	1
Thomas Holohan.....	1	James McFarlan	1
George S. Howland.....	5	James McFarlan, (E.)...	6
G. G. Howland	8	D. McCoun	3

	No. of Shares.		No. of Shares.
Austin Melvin	4	John N. Robbins	1
Eli Merritt	1	Theo. Rogers	7
John B. Miller	10	P. A. H. Renauld	3
Ann Mitchell	2	H. W. Rosenbaum	10
John Mortimer	13	Isaac Rushmore	13
Peter Montfort	5	Townsend Rushmore	11
Gerard W. Morris	1	Stephen Rushmore	5
Samuel C. Nicoll	4	Peggy Ryerson	1
F. W. Ostrander	1	G. A. Stryker	3
Jonathan Ogden	10	George St. John	1
J. D. P. Ogden	10	B. S. St. John	1
Th. Osborn	10	J. R. St. Felix	8
Edward Payson	1	S. Samson	2
E. H. Page	1	John Spader	2
John J. Palmer, President	16	Joseph Sands	5
John Peck	1	J. Sherman, Jr.	2
S. Parmentier	2	H. F. Spear	5
Jos. A. Perry	10	Alan Seaman	1
Jos. A. Perry, in trust	196	W. J. Schenck	2
N. P. Pettibone	1	P. Schermerhorn	8
Anson G. Phelps	3	Schermerhorn B. & Co.	8
A. H. H. Perkins	1	E. Silleck	1
J. S. Pierson	2	M. Skidmore	12
H. E. Pierrepont, Exr.	10	C. P. Smith	14
Frederick Prime	8	Anna Smith	2
Robert A. Powers	13	Samuel Smith	2
William Post	6	Charles Smith	5
William Raynor	6	Crawford C. Smith	1
Eliza Rathbone	5	Edmund Smith	10
John Rankin	42	Daniel J. Stilwell	5
Robert Ray	16	Jay J. Stilwell	1
J. H. Redding	2	Thomas M. Strong	5
William Remsen	8	Ferdinand Suydam	10
S. Richards, Jr.	2	Abraham Suydam	4
James Rowland	3	Abraham Sutton	8

	No. of Shares.		No. of Shares.
Benjamin D. Silliman...	1	Henry Waring.....	7
Benjamin Townsend....	10	Abraham Warner.....	13
Jonathan Trotter.....	1	Albert T. Wells.....	2
John W. Tout.....	2	Jane Weaver	6
Ira Tompkins.....	1	Amos White.....	1
P. I. Underhill.....	8	George White.....	5
Ad. J. Underhill	6	Nathaniel Wright	2
Garrit Vanderveer.....	17	Eben Whitney.....	2
John J. Vanderbilt.....	2	William Woodruff.....	1
Ad. Vanderveer	1	John Wortman.....	3
John Vanderveer.....	1	Weeks & Co.....	10
A. N. Van Brunt	2	Peter Wyckoff	10
L. V. Nostrand.....	6	Peter Wyckoff, Jr.....	1
Phebe S. Van Nostrand..	1	Nicholas Wyckoff.....	2
Abigail S. Van Voorhis..	2	Nathaniel Weed, Pres't..	16
G. G. Van Wagener	1	Nathan Young.....	3
James Van Sickler.....	1	John O. Zuill.....	3
Mary Watts	1	Robert W. Zuill.....	1

DEFERRED STOCK.

F. E. Bergen	20	John Haggerty.....	2
Jacob Bergen	2	David Johnson.....	2
N. J. Becar.....	2	C. N. Kiersted	3
James Berkard.....	1	James G. King.....	16
Joseph Bishop	1	John A. King.....	3
Had. Coffin.....	2	Le Roy & Perry	4
H. H. Cox.....	2	John J. Palmer, Pres't...	4
Dr. Embury, Cashier ...	2	Moses Little.....	2
C. J. Henshaw.....	2	J. A. Perry, in trust.....	87
F. Hourdequin.....	2	Frederick Prime	2
Mrs. E. S. D. Hubbard..	2	Robert Ray.....	4
G. G. Howland	2	Theo. Rogers.....	2

	No. of Shares.		No. of Shares.
J. R. St. Felix	2	Abraham Warner	3
P. Schermerhorn	2	Albert Woodhull.....	2
Schermerhorn B. & Co...	2	Weeks & Co.....	2
C. P. Smith	2	Nathaniel Weed, Pres't..	4
Abraham Sutton	2	John De Bevoist	2
Abraham Suydam	2	Benjamin Townsend....	3
Henry Waring.....	2		

JOHN S. DOUGHTY, *Treasurer.*

DOCUMENT No. 69.

BOARD OF ALDERMEN,

FEBRUARY 21, 1842.

The following Communication was received from his Honor the Mayor, and so much thereof as relates to a Suspension Bridge, and the subject of National Defence, were referred to the Committee on Arts, Sciences and Schools; so much as relates to Depositing Manure at the foot of Reade and Duane streets, referred to the Committee on Wharves, &c.; and so much as refers to the claim of Mrs. Van Tassel, was referred to the Committee on Fire and Water.

SAMUEL J. WILLIS, CLERK.

MAYOR'S OFFICE, FEBRUARY 21, 1842.

To the Honorable the Board of Aldermen:

GENTLEMEN:—I herewith transmit to your Honorable Body the Seventeenth Annual Report of the Society for the Reformation of Juvenile Delinquents, being for the year 1841.

Also, the annual statement of the lessees of the Fulton and South Ferries, for the year ending 31st January, 1842, as required by the terms of their lease.

Also, the calendar, or report of persons confined in the City Prison on the 21st February, 1842; with the names of their offences, &c., made by the Keeper of said Prison.

I also submit to your Honorable Body two several diagrams or plans, for the erection of a suspension bridge, drawn by Monsieur Euler, Civil Engineer, and by him presented for your consideration.

I have received, and herewith submit to your Honorable Body, a letter from a large number of citizens of Rushville, Schuyler County, Illinois, upon the subject of national defence, enclosing a description of a fire-ship, invented by a citizen of that place, and soliciting the co-operation of the Mayor and Common Council of this City in bringing the subject before Congress.

I again call your attention to the complaint of many citizens, in relation to the collection of manure at the foot of Reade and Duane streets. I have been called upon this day by some of our citizens, leasing and owning property in that neighborhood, who inform me that the tenants are moving out of their buildings, in consequencce of the nuisance alluded to. I suggest the inquiry, whether there is not some place belonging to the Corporation that might be appropriated to the purpose of depositing manure, without causing injury to the property of the citizen. The fort at the foot of Hubert street might answer that purpose.

Mrs. Frederick Van Tassel, a widow, of No. 57 Allen street, presents a claim to me for injury done to her premises by the Fire Engine Company stationed immediately in the neighborhood of her house. She states that the stoop of her house has been frequently injured by said company's running the engine against it; that she has expended sums of money to replace the same, and that now the stoop is again broken by similar conduct lately committed. I submit this

matter to your consideration for two objects: they are, that you may determine whether the city should not pay for these injuries, committed by a department of the city government upon the property of the citizen: the other, that some measure may be adopted to prevent future injuries of the same kind.

ROBT. H. MORRIS.

DOCUMENT No. 70.

BOARD OF ALDERMEN,

FEBRUARY 21, 1842.

Report of the Committe on Charity and Alms House, in relation to the Public Buildings at Bellevue, Blackwell's Island, &c. Laid on the table and ordered to be printed.

SAMUEL J. WILLIS, CLERK.

The Committee on Charity and Alms House, to whom was referred the annexed report from the Board of Assistant Aldermen, on the Communication from the Commissioners of the Alms House, in relation to the Public Buildings at Blackwell's Island, &c., respectfully recommend a concurrence in the resolution of said Board, for the reasons stated in their report.

SAMUEL BRADHURST,
DAVID VANDERVOORT.

BOARD OF ASSISTANTS,

OCTOBER 25, 1841.

Report of the Committee on Charity and Alms House, on the Communication of the Commissioners in relation to the Public Buildings at Bellevue, Blackwell's Island, &c.

The Committee on Charity and Alms House, to whom was referred the annexed communication, respectfully

REPORT:

That they have visited the public buildings at Bellevue, Blackwell's Island, and Long Island Farms; and have examined particularly into their condition, and the accommodations afforded by them. It is found that those already erected are not sufficiently capacious to contain the numbers that are necessarily crowded into them, in consequence of the vast increase which has taken place since their erection.

From the reports taken from the Alms House records, it appears that on the 24th day of October, 1835, there were

in the Alms House proper	1,375	inmates.
Lunatic Asylum and Hospital	246	"
Long Island Nurseries and Farms	519	"
Male Penitentiary	271	"
Female Penitentiary	224	"
Total	2,635	"

On the 15th day of October, 1841, there were in the Alms House proper ..... 1,404 inmates.

Lunatic Asylum	298	"
Hospital	335	"
Long Island Nurseries and Farms	763	"
Male Penitentiary	364	"
Female Penitentiary	491	"
Total	3,655	"

By comparing the above reports, it appears that there is an increase of 1,020 in the last six years. It is evident, if the numbers continue to increase in the same ratio, that much more extensive accommodations must soon be provided than is proposed in the annexed communication. Your Committee would therefore recommend that plans be procured for the erection of "other and more appropriate buildings" on Blackwell's or Randall's Island, for Alms House and other purposes; and that the Common Council take such action thereon as shall ensure the commencement of such as may be deemed proper, early in the ensuing Spring.

Your Committee would, however, recommend that the following improvements be immediately made, according to the proposition of the Commissioners, viz.:

To provide apartments for Hospital for diseased colored inmates at Bellevue, probable cost	$600
To furnish wards for patients suffering with diseased eyes at Bellevue. A part of the Chapel can be taken for that purpose, and the larger portion will remain, sufficient to accommodate the inmates of the institution	500
To construct additional apartments for the children at the Farms	600

To enlarge the accommodations for the sick children, already removed to the house lately occupied by J. W. Brown, on Blackwell's Island	$ 800
To erect verandahs to the main Asylum	2,000
(The Mad House, having covered yards attached, requires none at present.)	
To repair the Work House for females at Blackwell's Island, to be occupied until another can be built	50

For the purpose of carrying into effect the improvements stated above, the following resolutions are offered:

Resolved, That four thousand five hundred and fifty dollars be, and is hereby appropriated, out of the fund authorized to be raised by tax for Alms House Buildings, for the erection of apartments, additions, &c., as specified in the above report.

Resolved, That the Committee on Charity and Alms House of both Boards be directed to make the necessary arrangements for effecting said improvements.

E. G. RAWSON,
GEORGE F. NESBITT,
HENRY BREVOORT.

COMMUNICATION

OF THE

COMMISSIONERS OF THE ALMS HOUSE,

In relation to the Public Buildings at Bellevue, Blackwell's Island and Long Island Farms.

To the Common Council of the City of New York:

The Commissioners of the Alms House respectfully represent, that the following buildings, apartments, &c., are absolutely necessary, and ought to be provided with as little delay as possible:

1. An additional Asylum for one hundred lunatics at Blackwell's Island, probable cost..... $16,000
2. Verandahs to the main Asylum and Mad House; these are indispensable, that the patients may have air and exercise in all seasons of the year, and in every condition of weather, free from exposure to its severity, from which they now suffer much 5,000
3. An enlargement of the male penitentiary, Blackwell's Island, with apartments to temporary insanity, growing out of intemperance, say ... 15,000
4. A Work House for females at Blackwell's Island, the one now in use is positively dangerous; it ought to be placed at the lower end of the Island, near the Female Hospital, and the whole enclosed with a substantial fence, at all times under the care of a Keeper..... 3,000

5. Enlarged hospital accommodations at Blackwell's Island, both for males and females $3,000
6. A separate building for colored male paupers at Bellevue; both sexes now occupy the same house, the old and young, the diseased and the well; their situation is distressing, and requires immediate attention..... 4,000
7. Hospital apartments for diseased coloured inmates at Bellevue; there are none now—the sick suffer much 1,000
8. Wards for patients suffering with diseased eyes at Bellevue 600
9. A Work House at Bellevue ..... [4,000
10. Extensive accommodations for the children at the Farms, such as lodging and play rooms, apartments for taking their meals in, and working rooms 6,600
11. The children afflicted with diseased eyes ought to be removed from the Farms—the house lately occupied by J. W. Brown, at Blackwell's Island, offers good accommodation—necessary expenses with cost 800

Many other additions and repairs are necessary, but the above are most pressing; the Commissioners are ready to give such further information and explanation, in relation to the charge committed to their care, as may be required.

JOHN V. GREENFIELD,
Chairman of Commissioners.

DOCUMENT No. 71.

BOARD OF ALDERMEN,

FEBRUARY 28, 1842.

Report of the Committee on Laws, of the Board of Aldermen, in relation to the Regulation of Cabs. Laid on the table and ordered to be printed.

SAMUEL J. WILLIS, Clerk.

The Committee on Laws, &c., to whom was referred an ordinance from the Board of Assistant Aldermen, in relation to the regulation of cabs, respectfully

REPORT:

That with the valuable suggestions and assistance of Mr. Brown, the Superintendent of Hacks and Cabs in this City, they have very attentively considered the subject referred to

them, and recommend a concurrence with the Board of Assistant Aldermen, with certain amendments, which will be found in the annexed ordinance, and which is herewith submitted for the consideration of the Board.

C. S. WOODHULL,
MOSES G. LEONARD.

AN ORDINANCE

TO REGULATE CABS IN THE CITY OF NEW YORK.

The Mayor, Aldermen and Commonalty of the City of New York, in Common Council convened, do ordain as follows :

TITLE I.

Of Licensing the Owners of Cabs.

§ 1. The Mayor of the City of New York for the time being, shall, from time to time, issue licenses under his hand and seal, to so many and such persons as he shall think proper, to keep cabs for hire in the said City, and to revoke all or any of the said licenses.

§ 2. No person who is not a citizen of the United States, a resident of this City for the last six months, of the age of twenty-one years and upwards, and the owner of a good and sufficient horse and cab, shall be licensed as aforesaid.

§ 3. The Mayor of the said City may administer to any person applying for a license, an oath or affirmation, and shall examine such person orally, touching his said application and qualifications to receive said license.

§ 4. All licenses to the owners of cabs shall expire on the first Monday of August next, after the date thereof.

§ 5. If the owner of any cab, who may have received a license, shall sell or dispose of said cab before the expiration of such license, such licensed owner shall, within ten days

after such sale, report the same to the Superintendent, who shall be authorised, with the consent of the Mayor, to transfer such license to the purchaser of such cab, on the payment of one dollar to the Mayor for the use of the City, and every owner of a cab who shall neglect to report any such sale to the Superintendent, shall forfeit and pay the sum of five dollars.

§ 6. No licensed person shall be entitled to have his license renewed, unless he shall make it satisfactorily appear, on oath as aforesaid, that he still owns a good horse or horses, and a sufficient and proper cab as aforesaid.

§ 7. Every license shall state the number of the cab for which the same is granted.

§ 8. Every person who may be licensed as aforesaid, shall pay to the Mayor for the use of the City for each cab which such person shall keep for hire, the sum of three dollars when drawn by one horse, and the sum of five dollars when drawn by two horses.

§ 9. If the owner of any cab who may have received license for a one horse cab, shall afterwards apply two horses to the same, he shall forfeit and pay the sum of five dollars for every day or part of a day he shall so run such cab. But any owner who may have a license for a one horse cab may, on application and on the payment of two dollars additional, have a license for a two horse cab.

§ 10. Every person who shall keep or drive any cab for hire in the City of New York, without being first licensed as aforesaid, shall be liable to the penalty of twenty-five dollars for every such offence, to be recovered from the owner, agent or driver thereof, severally and respectively.

TITLE II.

Of Licensing Drivers of Cabs.

§ 1. The Mayor of the City of New York shall have full power and authority, from time to time, to issue licenses under his hand and seal to so many and such persons, as he may think proper, to drive cabs, and at pleasure to revoke all or any of the said licenses.

§ 2. All licenses to the drivers of cabs shall expire on the first Monday in August next, after the date thereof.

§ 3. Every driver of a cab shall, on receiving his license, pay to the Mayor of the City of New York, for the use of the said City, the sum of one dollar, and no person shall drive any cab who is not twenty-one years of age and licensed for the same, under the penalty of five dollars.

§ 4. No owner of any cab shall suffer or permit any person to drive such cab, who is not twenty-one years of age, and who is not licensed as aforesaid, under a penalty of ten dollars for every such offence.

TITLE III.

Of Rates of Fare.

ART. 1. The rates of fare to be paid for the use and hire of cabs in the City of New York, shall be as follows, to wit:

§ 1. For carrying one passenger any distance not exceeding one mile (25) twenty five cents, and for every additional passenger, the same distance, (18) eighteen cents; and for every additional mile or part of a mile for one passenger (18) eighteen cents, and for every additional passenger (12) twelve cents for conveying as last aforesaid.

§ 2. For the use of a cab by the day, with one or more passengers, ($4) four dollars.

§ 3. For the use of a cab by the hour, for one passenger, (62) sixty-two cents, and for every additional passenger (12) twelve cents.

§ 4. In all cases the cab shall be deemed to be hired by the mile, unless agreed upon to be by the hour or the day.

§ 5. Children, under fourteen years of age, shall pay one-half of the above price, unless under two years of age, in which case no charge shall be made for their conveyance.

§ 6. In case of a cab being detained, except as aforesaid, the fare during said detention shall be (50) fifty cents for every hour, and in proportion for the parts of an hour.

§ 7. For the use of a cab at a funeral (going and returning, if required) below (28th) Twenty-eighth street, in said city, the fare for each cab shall be ($1 50) one dollar and fifty cents, and for the same to Potter's Field, (going and returning if required), ($2 50) two dollars and fifty cents.

§ 8. Every passenger conveyed as aforesaid, shall have the right to have conveyed with him, in or on said cab, one trunk or other article used in travelling, free of all charge; and for every trunk or other article aforesaid, being more than one as aforesaid for each passenger, the sum of (6) six cents shall be paid, if conveyed within the distance of one mile, and (12) twelve cents if conveyed over one mile—the last mentioned articles are not to be over burdensome.

§ 9. In case of disagreement under this ordinance between passenger and driver, or owner or agent of cab, in relation to fare, as to distance, agreement or price, the same shall be determined by the Mayor or Superintendent, on hearing of the parties.

§ 10. The owner, agent, or driver of any cab shall not demand or receive any pay or compensation for the conveyance of any passenger or baggage, unless the number of the cab used for such conveyance, and the rates and prices of fare as above, shall be found in said cab at the time of said con-

veyance conspicuously placed in the manner and form herein after prescribed.

§ 11. In case the owner, agent, or driver of any cab shall wilfully and wrongfully claim or demand for the conveyance of one or more passengers, more compensation than he is entitled to by this ordinance, he shall entirely forfeit all claim to any compensation for said conveyance, and in case of his having wilfully and wrongfully received as aforesaid more than his just compensation, he shall return the same to the payer, under penalty of losing his license, at the discretion of the Mayor, and in either case under a further penalty of ten dollars, to be collected of said owner, agent or driver, either or both of them, for the use of said city.

§ 12. In case of suit at law for the recovery of any fare under this ordinance, it shall be incumbent on the party suing for said fare or compensation, to prove in evidence in said suit, that the number of his cab, and the prices or rates of fare, as herein set forth, were duly placed in or on said cab, pursuant to this ordinance, at the time of the conveyance for which the said suit is brought.

TITLE IV.

Of the Regulating and Numbering of Cabs.

§ 1. Every cab which shall be licensed, shall be marked and numbered as follows, that is to say: the number of the license of the owner thereof shall be in gilt figures on a black ground, on a conspicuous place on the outside panel of the door of said cab, if the door be in rear of the cab, and if the doors be on each side of the cab, then the numbers shall be conspicuously placed as aforesaid on the outside of the doors; and if the doors be neither behind nor on the sides, then the numbers shall be placed conspicuously

on the middle of the panel on each side of said cab; each figure of said number to be at least two inches in length. The figures must be unobscured and unconcealed by any other figure or device.

§ 2. Every cab which may be so licensed, shall, when used at night, have fixed upon some conspicuous part of the outside thereof, two lighted lamps, with plain glass fronts and sides, and having the numbers of the license of the owner of such cab in plain legible figures, of at least two inches in length, and no other figure or device, painted with black paint, upon each of the said lamps, in such a manner that the same may be distinctly seen and known when the said cab may be standing or driving.

§ 3. Any person or persons who shall keep or drive such cab in violation of any or either of the preceding provisions of this title, shall forfeit and pay for every such offence the sum of ten dollars, to be sued for and recovered from the owner, agent, or driver thereof, severally and respectively.

§ 4. If any person or persons, who has a license for a cab, shall use more than one cab with the same number, he or they who shall use two cabs with the same numbers shall be liable to a penalty of ten dollars for every such offence, to be recovered from the owner, agent, or driver thereof respectively.

§ 5. If any person or persons shall be found using a cab with a number belonging to another person, he or they who shall so use the number, shall forfeit and pay the sum of five dollars for every day such number shall be so used, to be recovered from the owner, agent or driver thereof, severally and respectively.

§ 6. There shall be fixed in every cab, in such a manner as can be conveniently read by any person in the same, a card containing the name of the owner of said cab, the number of his license, and the whole of the third title of this ordinance, printed in plain legible characters. Every driver or owner of such cab shall, when required so to do by any

passenger in such cab, exhibit to such passenger a card in every respect similar to the one above mentioned and described in this section. Any person who shall violate any or either of the provisions of this section, shall forfeit and pay for every such offence the sum of ten dollars, to be sued for and recovered from the owner, agent or driver of such cab, severally and respectively.

§ 7. No owner or driver of any cab, whilst on any of the stands hereinafter designated, or whilst waiting for employment at any place other than at the house or stable of the owner thereof, shall refuse or neglect to convey any person or persons to any place or places on the island of New York, upon being applied to for that purpose, and on being tendered the fare for the same, under a penalty of ten dollars for every such refusal or neglect, to be sued for and recovered from the owner, agent or driver of any such cab, severally and respectively.

§ 8. No person, whether owner or driver of any cab, while at either of the said stands shall snap or flourish his whip, or shall leave such cab, under the penalty of five dollars for every such offence, to be recovered from the owner, agent or driver of any such cab, severally and respectively.

§ 9. All the provisions and penalties of this chapter, except those requiring lamps, shall apply to the sleighs which shall come upon and use the stands hereinafter designated, and to the owner, agent or driver thereof, and shall also apply in all respects to sleighs which shall be driven and used for the conveyance of passengers in the City of New York for hire on wages.

§ 10. Every owner or driver or person having charge of any cab shall, upon being requested so to do, give to any person the number of his cab, the name of the owner thereof, and his place of abode, and in default thereof shall forfeit and pay the sum of ten dollars, to be sued for and recovered from the owner, agent or driver of such cab, severally and respectively.

TITLE V.

The Places at which Cabs may Stand for Hire.

§ 1. Cabs may stand waiting for employment at all times, Sundays excepted, at the stands herein named, that is to say, on the south side of Vesey street, and along the Park in Broadway.

§ 2. The Mayor of the City of New York, with the advice and consent of the Alderman and Assistant of each ward, may from time to time designate such other place or places in each ward as they shall deem proper at which cabs may stand waiting for employment.

§ 3. No cab shall be allowed to stand on any of the stands, nor at any other public place on Sunday, under the penalty of ten dollars for every such offence, to be recovered from the owner, agent or driver thereof, severally and respectively.

§ 4. No cab shall, while on any of the stands or at any other public place, stand back up to the curb stone, but shall stand with its side to the curb stone, under a penalty of ten dollars for every such offence, to be recovered from the owner, agent or driver thereof, severally and respectively.

§ 5. No cab shall, while on any of the stands, or at any other public place, be allowed to stand one outside of another, under the penalty of ten dollars for every such offence, to be recovered from the owner, agent or driver of any such cab which shall so stand outside of another, severally and respectively.

§ 6. The Mayor of the City of New York, with the assistance of the Superintendent of Cabs, and by and with the consent of the Alderman and Assistant Alderman of each ward, respectively, shall have full power and authority to make such rules and regulations, and give such orders respecting the standing of cabs at and near the theatres and

other places of amusement or resort, and at and near steamboats and other vessels, at all times and at and upon the stands designated and specified for such cabs as may be necessary to preserve order and decorum.

§ 7. Every owner, agent or driver of any such cab, who shall neglect to obey any of the said rules, regulations or orders, shall forfeit and pay for every such offence, the sum of five dollars, to be recovered from the owner, agent or driver of any such cab, severally and respectively.

§ 8. The Superintendent of Cabs shall, at all reasonable times, have free access to such cabs within the premises of their several proprietors, as shall be necessary to the performance of his duties, under a penalty of ten dollars upon each and every person who shall obstruct, disturb or molest the said Superintendent whilst in the discharge of his duties as aforesaid.

TITLE VI.

Of the Superintendent of Cabs.

§ 1. The Superintendent of Hackney Coaches shall also be Superintendent of Cabs, and it shall be the duty of the said Superintendent, to visit the public stands and all places where cabs are permitted to stand: he shall have power and authority to order away from the stands and from all other places, any cab not provided with a number or with lamps fixed up, lighted and numbered as herein before required, or not furnished with proper and suitable harness and horse or horses, or if the same, in his opinion, shall be improperly obstructing the way or street, or if the horse or horses attached thereto, are unruly, or if the driver or persons having charge of any such cab is intoxicated or in any manner misbehave himself.

§ 2. If any person having charge of any such cab, shall refuse or neglect to obey any such order of the said Superintendent, he or they shall forfeit and pay for every such offence, the sum of ten dollars, to be recovered from the owner, agent or driver of every such cab, severally and respectively.

§ 3. It shall be the duty of the said Superintendent of Cabs to see that all the laws regulating cabs are in every respect complied with, and it is particularly enjoined upon the said Superintendent of Cabs, that he report all offenders thereof to the Attorney of the Corporation.

§ 4. The Superintendent of Cabs, under the direction of the Mayor, shall determine the number of cabs for any particular stand, and he shall also designate the cabs which shall wait for employment at any particular stand, and also the proper boundaries and limits of every such stand.

DOCUMENT No. 72.

BOARD OF ALDERMEN,

FEBRUARY 28, 1842.

Report of the Comptroller, in relation to the Accounts of the Chamberlain, for the quarter ending January 31*st*, 1842. *Ordered on file and to be printed.*

SAMUEL J. WILLIS, Clerk.

Comptroller's Office,
City of New York, 28th February, 1842.

To the Honorable the Common Council:

The Comptroller begs leave to

REPORT:

That the accompanying documents are true copies of the returns of the City Treasurer, for the quarter ending January 31st, 1842. They have been compared with the books of this office and found to be correct.

The balance in the Special Fund to meet the "Fire Loan Interest," was, on that day	$14,805 83
In the "Sinking Fund," to be invested in the City debt	31,682 68
In the general fund	85,876 67
Making a total balance of cash on hand of	$132,365 18

Very respectfully submitted.

ALFRED A. SMITH.
Comptroller.

The Corporation of the City of New York, in account current with Cornelius W. Lawrence, City Treasurer.

Dr.		Cr.	
To amount paid upon City Warrants from 31st October last, to this day (inclusive) as per weekly returns	$1,234,654 26	By balance, old account (rendered 31st October last)	$ 105,188 13
To balance to account	85,876 67	By amount received from all sources from that day to this, (inclusive,) as per weekly returns	1,215,342 80
	$1,320,530 93		$1,320,530 93
		By balance from old account	$85,876 67

City Treasury, January 31, 1842.
(Signed.) C. W. LAWRENCE, Treasurer.

The Commissioners of the Sinking Fund of the City of New York, in account current with Cornelius W. Lawrence, City Treasurer.

Dr.		Cr.	
To amount paid upon Commissioner's Warrants from 31st October last, to this day (inclusive,) as per weekly returns	$171,500 00	By balance, old account, (rendered 31st October last)	$ 50,421 51
To balance to new account	31,682 68	By amount received from all sources from that day to this, (inclusive,) as per weekly returns	152,761 17
	$203,182 68		$203,182 68
		By balance from old account	$31,682 68

City Treasury, January 31, 1842.
(Signed.) C. W. LAWRENCE, Treasurer.

COMPTROLLER'S OFFICE,
February 22, 1842.

I do certify that the aforegoing are true copies of the original accounts, (filed in this office,) which have been carefully compared with the proper vouchers, and agree therewith.

P. A. YOUNG,
Deputy Comptroller.

BANK OF THE STATE OF NEW YORK,
January 31st, 1842.

I hereby certify, that after the close of business this day, the balances herein named were standing on the books of this bank to the credit of the following accounts, viz: to the credit of the "City Treasurer," eighty-five thousand eight hundred and seventy-six dollars sixty seven cents ($85,876 67.) To the credit of the "Commissioners of the Sinking Fund," thirty-one thousand six hundred and eighty-two dollars sixty-eight cents ($31,682 68,) and to the credit of "Interest on Fire Loan belonging to the Commissioners of the Sinking Fund," fourteen thousand eight hundred and five dollars eighty-three cents, ($14,805 83.)

(Signed.) R. WITHERS,
Cashier.

COMPTROLLER'S OFFICE,
February 22d, 1842.

The aforegoing is a true copy of the original certificate of R. Withers, Cashier, on file; and the balances of the several accounts therein exhibited are found, upon examination made by me, to agree with the balances of the same accounts in the books of this office, to the period stated.

P. A. YOUNG,
Deputy Comptroller.

DOCUMENT No. 73.

BOARD OF ALDERMEN,

FEBRUARY 28, 1842.

Annual Report of Firewood and Charcoal, inspected and measured in the City and County of New York, in the year 1841. *Ordered on file and to be printed.*

SAMUEL J. WILLIS, CLERK.

To the Honorable the Board of Aldermen of the City of New York:

The undersigned herewith reports the amount of firewood and charcoal inspected and measured in the City and County of New York, for the year 1841.

WILLIAM A. WALTERS,
City Inspector.

ANNUAL REPORT,

ACCORDING TO THE RETURNS MADE TO THIS OFFICE, OF THE QUANTITY, AVERAGE PRICE,

AND VALUE OF THE

FIREWOOD AND CHARCOAL,

Inspected and Measured in the City and County of New York, during the year 1841.

MONTHS.	Number of loads of Nut Wood.	Average Price.	Value. Dolls. Cts.	Number of loads of Oak Wood.	Average Price.	Value. Dolls. Cts.	Number of loads of Pine Wood.	Average Price.	Value. Dolls. Cts.	Total number of loads.	TOTAL VALUE. Dolls. Cts.
January	1,459	$2 75	4,012 25	11,428	$2 18	24,913 04	2,506	$1 85	4,636 10	15,393	33,561 39
February ...	800	2 63	2,104 00	10,707	2 12	22,696 72	2,750	1 85	5,087 50	14,257	29,888 22
March	1,722	2 50	4,322 22	11.865	1 95	23,137 73	2,839	1 75	4,968 25	16,427	32,428 20
April	1,129	2 50	2.833 79	11,842	1 88	22,204 09	2,202	1 64	3,610 28	15,174	28,649 16
May	2,485	2 44	6,064 62	12,572	1 87	23,571 90	2,429	1 63	3,947 13	17,487	33,583 65
June	1,002	2 37	2.379 75	9,800	1 75	17,150 88	4,694	1 61	7,557 34	15,497	27,087 97
July	424	2 38	1,009 12	5,434	1 56	8,477 04	2,312	1 50	3,474 51	8,167	12,960 67
August	2,166	2 48	5,370 44	12,326	1 75	21,570 50	3,072	1 62	4,976 44	17,564	31,817 58
September .	2,812	2 50	7,058 12	14,120	1 87	26,405 34	3,439	1 64	5,639 96	20,372	39,102 42
October	4,543	2 66	12,084 38	24,322	1 98	48,058 55	9,577	1 72	16,472 44	38,442	76,715 37
November ..	2,971	2 63	7,815 05	14,547	1 94	28,220 21	4,664	1 69	7,882 16	22,182	43,917 42
December ..	2,409	2 62	6,311 58	13,235	1 95	25,809 23	3,829	1 81	6,930 49	19,474	39,051 30
	23,922	$2 53 3/10	$61,365 32	152,209	$1 90	292,215 23	44,302	$1 69 1/10	$75,182 80	220,433	428,763 35

CHARCOAL REPORT.

1841. MONTHS.	Number of tubs per quarter.	Average price per quarter. Cents.	Amount per quarter. Dolls.	Cts.
January, February and March ..	24,705	31½	7,778	31
April, May and June	66,455	32⅜	21,553	85
July, August and September	59,227	31⅛	18,434	60
October, November & December	51,727	30⅜	15,700	46

Number of tubs for the year .... 202,114.
Average price for the year ..... 31⅜ cents.
Total amount for the year ..... $63,467 22.

The returns of the Inspectors of Wood for 1841, show that there has been inspected during the year 220,433 loads of wood, 22,511 loads less than during the preceding year.

The Measurers of Charcoal, according to the returns, have measured 202,114 tubs of charcoal, 133,781 tubs less than during the year preceding. These reports are very imperfect; many of the Inspectors and Measurers neglect to make returns.

Respectfully submitted.

WILLIAM A. WALTERS,
City Inspector.

February 21, 1842.

DOCUMENT No. 74.

BOARD OF ALDERMEN,

FEBRUARY 28, 1842.

Annual Report of the City Inspector, of the New Buildings erected in the City and County of New York, in the year 1841. *Ordered on file and to be printed.*

SAMUEL J. WILLIS, CLERK.

The undersigned respectfully reports to the Common Council—

That the number of buildings erected in the city during the year 1841, was 971, being an increase over the year preceding, of 121.

The following table shows the increase and decrease in the several wards:

Increase	7th	ward	11	Decrease 1st ward	18
"	9th	"	24	" 2d "	4
"	10th	"	28	" 3d "	0
"	11th	"	56	" 4th "	27
"	15th	"	15	" 5th "	0
"	16th	"	23	" 6th "	13
"	17th	"	65	" 8th "	18
			222	" 12th "	0
			101	" 13th "	17
				" 14th "	4
Total increase....			121		101

Respectfully submitted.

WILLIAM A. WALTERS,
City Inspector.

	Brick Dwellings.	*Wooden Dwellings.*	*Brick Dwellings and Stores.*	*Wooden Dwellings and Stores.*	*Brick and Granite Stores.*	*Brick Stores.*	*Brick Shops.*	*Brick Stables.*	*Other Buildings.*	*Brick Churches.*	TOTAL.
1st ward.....	1	....	....	..	24	....	....	....	....	..	25
2d "	2	....	....	..	38	6	....	....	....	..	46
3d "	3	....	....	..	2	3	....	2	....	..	10
4th "	3	....	5	..	....	....	2	....	....	..	10
5th "	12	....	8	..	....	....	1	....	....	..	21
6th "	....	....	6	..	2	4	....	....	....	..	12
7th " ...*†..	22	....	1	..	2	11	1	2	....	..	41
8th "	20	....	....	..	1	1	....	....	....	..	22
9th "	64	....	35	..	....	....	....	2	....	1	102
10th "	35	....	1	..	....	....	2	3	....	..	41
11th "	74	....	20	..	....	2	4	2	....	2	104
12th "	6	32	1	3	....	5	3	....	16	..	66
13th "	17	....	4	..	....	....	1	2	5	..	29
14th " ....‡..	5	....	12	..	....	....	....	....	....	..	18
15th " ....§..	63	....	8	..	....	1	2	....	....	..	75
16th "	134	64	11	..	....	2	2	2	....	..	215
17th "	101	....	15	..	....	....	15	....	2	1	134
	562	96	127	3	69	35	33	15	23	4	971

* 1 Hotel, Sailor's Home.

† 1 Stone Church.

‡ 1 Stone Church.

§ 1 Orphan Asylum.

STREETS.	*Brick Dwellings.*			*Wooden Dwellings.*	*Brick Dwellings and Stores.*		*Wooden Dwellings and Stores.*	*Brick and Granite Stores.*			*Brick Stores.*	*Brick Shops.*	*Brick Stables.*	*Other Buildings.*	TOTAL
	2 story	3 story	4 story	2 story	2 story	3 story	4 story	2 story	3 story	4 story	5 story				
Allen	..	1	..	..	..	..	..	..	..	..	..	..	..	..	1
Attorney*	..	1	..	..	..	..	..	..	..	..	..	..	..	..	2
Amos	1	5	..	..	..	..	..	..	..	..	..	..	..	..	6
Amity	..	4	..	..	..	..	..	..	..	..	..	..	..	..	4
Bank	4	3	..	..	..	..	..	..	..	..	..	..	..	..	7
Bloomingdale road	..	..	..	2	..	..	..	..	..	..	..	..	..	1	3
Barrow	..	3	..	..	..	..	..	..	..	..	..	..	..	..	3
Bowery	..	4	2	..	..	2	2	..	..	..	..	1	..	..	11
Broadway	3	..	..	..	1	6	..	..	..	1	1	1	..	..	13
Broome†	..	4	..	..	..	..	..	..	..	..	..	..	..	..	5
Bedford	..	1	..	..	1	1	..	..	..	..	..	..	..	..	3
Cornelia	1	..	..	..	..	..	..	..	..	..	..	..	1	..	2
Cedar	..	..	..	..	..	..	..	..	..	5	..	..	..	..	5
Centre	..	..	..	..	..	..	2	..	..	2	..	..	..	..	4
Cherry‡	..	4	..	..	..	..	..	..	..	..	..	1	..	..	6
Christopher	1	..	..	..	..	..	..	..	..	..	..	..	..	..	1
Christie	..	3	..	..	..	..	..	..	..	..	..	..	..	..	3
Clinton	..	..	..	..	..	..	..	..	..	..	..	..	1	..	1
Columbia	..	5	..	..	..	..	..	..	..	..	..	1	..	..	6
Cannon	1	8	..	..	1	1	..	..	..	..	1	2	..	2	16
Catharine	..	..	..	..	..	..	..	..	..	..	..	1	..	..	1
Cross	..	..	..	..	..	2	2	..	..	..	..	..	..	..	4
Clark	1	..	..	..	..	..	..	..	..	..	..	..	..	..	1
Carmine	..	..	..	..	1	..	..	..	..	..	..	..	..	..	1
Delancey	1	1	..	..	..	..	..	..	..	..	..	..	..	..	2
Division	..	2	..	..	..	1	..	..	..	..	..	..	..	..	3
Duane	..	2	..	..	..	..	..	..	..	..	..	..	..	..	2
Downing§	2	..	..	..	..	..	..	..	..	..	..	..	..	..	3
Elizabeth	..	..	..	..	..	3	..	..	..	..	..	..	..	..	3
Elm	1	2	..	..	..	..	..	..	..	..	..	..	..	..	3
Eldridge	..	1	..	..	..	..	..	..	..	..	..	2	..	..	3
Essex	..	6	1	..	..	..	..	..	..	..	..	1	..	..	8

* 1 Brick Church.
† 1 Stone Church.
‡ 1 Hotel, Sailor's Home.
§ 1 Brick Church.

STREETS.	*Brick Dwellings.*			*Wooden Dwellings.*	*Brick Dwellings and Stores.*		*Wooden Dwellings and Stores.*	*Brick and Granite Stores.*			*Brick Stores.*	*Brick Shops.*	*Brick Stables.*	*Other Buildings.*	TOTAL
	2 story	3 story	4 story	2 story	2 story	3 story	4 story	2 story	3 story	4 story	5 story					
Forsyth	2	1	..	..	..	..	..	....	..	..	..	..	1	1	1	6
Front	..	....	..	..	..	..	..	....	..	6	2	..	..	..	..	8
Fulton	..	....	..	..	..	..	..	....	..	2	2	..	..	..	..	4
Factory	..	2	..	..	..	..	..	....	..	..	..	..	..	..	..	2
Franklin	..	....	2	..	..	..	..	....	..	..	..	..	..	..	..	2
Fort Washington	..	2	..	1	..	..	..	....	..	..	..	..	..	..	..	3
Goerck	..	1	..	..	..	..	..	....	..	..	..	..	..	..	..	1
Gold	..	....	..	..	..	..	..	....	..	1	..	..	..	..	..	1
Grand	2	1	..	..	..	5	1	....	..	..	..	..	..	..	..	9
Greenwich	..	11	..	..	..	..	..	....	..	..	..	..	..	..	..	11
Grove	..	2	.	..	..	..	..	....	..	..	..	..	..	..	..	2
Greenwich lane	..	....	..	..	..	7	..	....	..	..	..	..	..	..	..	7
Hammond	..	3	..	..	..	2	..	....	..	..	..	..	..	..	..	5
Henry	..	3	..	..	..	..	..	....	..	..	..	..	..	..	..	3
Hester	..	1	..	..	..	1	..	....	..	..	..	..	..	..	..	2
Houston*	..	12	..	..	..	4	..	....	..	..	..	..	2	..	..	19
Hudson	..	....	..	..	..	4	..	....	..	..	..	2	..	..	..	6
Horatio	..	1	..	..	..	..	..	....	..	..	..	..	..	..	..	1
John	..	....	..	..	..	..	..	....	10	11	10	2	..	..	..	33
Kingsbridge road	..	....	..	3	..	..	..	....	..	..	..	..	..	..	1	4
Lewis	..	10	..	..	..	1	..	....	..	..	..	..	..	..	..	11
Leonard	..	....	..	..	..	..	..	....	..	..	..	2	..	..	..	2
Ludlow	2	7	..	..	..	..	..	....	..	..	..	..	..	..	..	9
Lafayette place	..	....	2	..	..	..	..	....	..	..	..	..	..	..	..	2
Leroy	..	1	..	..	..	..	..	....	..	..	..	..	..	..	..	1
Lispenard	..	....	3	..	..	..	..	....	..	..	..	..	..	..	..	3
Market	..	....	..	..	..	..	..	....	..	..	..	1	..	1	..	2
Monroe	1	10	..	..	..	..	..	....	..	..	..	2	..	1	..	14
Morton	..	....	..	..	..	..	..	....	..	..	..	..	..	1	..	1
Murray	..	....	..	..	..	..	..	....	..	..	..	2	..	..	..	2
Marion	..	....	..	..	..	2	..	....	..	..	..	..	..	..	..	2
Minetta	..	1	..	..	..	..	..	....	..	..	..	..	..	..	..	1
Norfolk	..	1	1	..	..	..	..	....	..	..	..	..	..	1	..	3
Orchard	..	7	..	..	1	..	..	....	..	..	..	..	..	1	..	9
Pearl	..	....	..	..	..	2	2	....	3	..	..	..	..	..	..	7
Pitt	..	1	..	..	..	1	..	....	..	..	..	..	..	1	..	3

* 1 Brick Church.

STREETS.	*Brick Dwellings.*			*Wooden Dwellings.*	*Brick Dwellings and Stores.*		*Wooden Dwellings and Stores.*	*Brick and Granite Stores.*			*Brick Stores.*	*Brick Shops.*	*Brick Stables.*	*Other Buildings.*	TOTAL
	2 story	3 story	4 story	2 story	2 story	3 story	4 story	2 story	3 story	4 story	5 story				
Prince	3	1	..	..	..	..	..	....	..	..	..	..	..	..	4
Perry	1	2	..	..	..	..	..	....	..	..	..	..	..	..	3
Rivington	1	15	..	..	..	1	..	....	..	..	..	1	1	..	19
Rosevelt	..	....	..	..	..	..	1	....	..	..	..	..	..	..	1
Reade	..	....	..	..	..	..	..	....	1	..	..	..	1	..	2
Rose	1	1	..	..	..	..	..	....	..	..	..	..	..	..	2
Rutgers*	..	....	..	..	..	..	..	....	..	..	..	..	..	..	1
Sheriff	..	3	..	..	..	..	..	....	..	..	..	3	..	..	6
South	..	....	..	..	..	..	..	....	1	1	..	..	..	..	2
Stanton	2	20	..	..	..	..	..	....	..	..	..	..	..	..	22
Suffolk	..	2	..	..	..	..	..	....	..	..	..	..	1	..	3
Sullivan	..	11	..	..	..	..	..	....	..	..	..	..	..	..	11
Thompson	2	9	..	..	..	..	..	....	..	..	..	..	..	..	11
Thames	..	1	..	..	..	..	..	....	..	..	..	..	..	..	1
University place	..	12	..	..	..	..	..	....	..	..	..	..	..	..	12
Vandam	..	4	..	..	..	..	..	....	..	..	..	..	..	..	4
Vandewater	..	1	..	..	..	..	..	....	..	..	..	..	..	..	1
Washington	..	....	..	..	..	7	..	....	..	..	..	..	..	..	7
Water	..	....	..	..	..	..	2	....	..	..	..	12	1	..	15
Waverly place	..	3	1	..	..	..	..	....	..	..	..	..	..	..	4
William	..	....	..	..	..	..	..	....	1	8	1	2	..	..	12
Warren	..	2	..	..	..	..	..	....	..	..	..	1	..	1	4
Wooster	..	1	1	..	..	..	..	....	..	..	..	..	..	..	2
Walnut	2	....	..	..	..	..	..	....	..	..	..	..	..	..	2
Walker	..	3	..	..	..	..	..	....	..	..	..	..	..	..	3
1st avenue	..	7	..	..	1	3	..	....	..	..	..	..	3	..	2	16
2d "	2	22	..	1	..	..	..	....	..	..	..	..	1	..	3	29
3d "	..	....	2	6	..	6	..	2	..	..	..	..	1	..	..	17
6th " †	1	1	..	..	..	6	..	....	..	..	..	..	..	..	..	9
7th "	..	8	..	..	..	3	..	....	..	..	..	..	..	..	..	11
8th "	..	....	..	3	4	7	..	....	..	..	..	..	..	..	2	16
9th "	..	17	..	18	..	..	..	....	..	..	..	..	..	1	..	36
10th "	6	6	2	4	..	..	..	....	..	..	..	..	..	..	2	20
11th "	..	....	..	3	..	..	..	....	..	..	..	..	..	..	5	8
12th "	..	....	..	1	..	..	..	....	..	..	..	..	..	..	..	1

* 1 Stone Church.

† 1 Orphan Asylum.

STREETS.	*Brick Dwellings.*			*Wooden Dwellings.*	*Brick Dwellings and Stores.*		*Wooden Dwellings and Stores.*	*Brick and Granite Stores.*			*Brick Stores.*	*Brick Shops.*	*Brick Stables.*	*Other Buildings.*	TOTAL
	2 story	3 story	4 story	2 story	2 story	3 story	4 story	2 story	3 story	4 story	5 story				
Avenue A	..	....	..	1	..	..	..	....	..	..	..	..	..	..	1
Avenue B	..	....	..	..	..	4	..	....	..	..	..	..	..	..	4
Avenue C	..	....	..	1	..	..	5	....	..	..	..	..	..	..	6
Avenue D*	..	2	..	..	..	3	..	....	..	..	..	1	..	..	7
1st street	..	4	..	..	..	..	..	....	..	..	..	..	1	1	7
2d "	..	4	..	..	..	4	..	....	..	..	..	..	4	1	13
3d "	..	7	..	..	..	2	..	....	..	..	..	..	..	..	9
4th "	..	3	..	..	..	..	..	....	..	..	..	..	1	..	4
5th "	..	22	1	..	1	..	1	....	..	..	..	..	1	..	26
6th "	4	3	..	..	..	..	..	....	..	..	..	..	1	..	8
7th "	2	6	..	..	..	..	..	....	..	..	..	..	..	..	8
8th "	..	6	..	..	..	..	..	....	..	..	..	..	..	..	6
9th "	..	11	..	..	..	..	..	....	..	..	..	..	..	..	11
10th "	..	4	..	..	..	..	..	....	..	..	..	..	..	..	4
11th "	2	17	..	..	..	1	..	....	..	..	..	..	1	..	21
12th "	6	9	..	..	..	..	..	....	..	..	..	..	..	..	15
13th "	2	11	..	..	4	..	..	....	..	..	..	..	..	..	17
14th "	2	2	..	..	..	..	..	....	..	..	..	1	..	..	5
15th "	..	7	..	3	..	..	..	....	..	..	..	..	..	..	10
16th "	6	4	..	7	1	1	..	....	..	..	..	..	..	..	19
17th "	1	4	..	5	..	..	..	....	..	..	..	..	..	..	10
18th "	..	2	..	4	..	..	..	....	..	..	..	..	..	..	6
19th "	3	6	..	..	..	..	..	....	..	..	..	..	..	..	6
20th "	..	2	..	..	..	..	..	....	..	..	..	..	..	1	3
22d "	2	16	..	6	..	..	..	....	..	..	..	..	..	..	24
23d "	..	1	..	1	..	..	..	....	..	..	..	..	..	1	3
24th "	..	3	..	1	..	..	..	1	..	..	..	..	..	..	5
25th "	8	....	..	..	..	..	..	....	..	..	..	..	..	..	8
27th "	..	....	..	..	..	..	..	....	..	..	..	..	1	..	1
28th "	..	....	..	..	..	..	..	....	..	..	..	..	1	..	1
29th "	1	1	..	2	..	..	..	....	..	..	..	1	..	..	5
33d "	..	1	..	10	..	..	..	....	..	..	..	..	..	..	11
34th "	..	....	..	6	..	..	..	....	..	..	..	..	..	..	6
35th "	2	4	5	..	..	..	..	....	..	..	..	..	..	..	11
36th "	1	....	..	..	..	..	..	....	..	..	..	..	..	..	1
42d "	..	....	..	..	..	..	..	....	..	..	..	..	..	1	1

* 1 Brick Church.

STREETS.	*Brick Dwellings.*			*Wooden Dwellings.*	*Brick Dwellings and Stores.*		*Wooden Dwellings and Stores.*	*Brick and Granite Stores.*			*Brick Stores.*	*Brick Shops.*	*Brick Stables.*	*Other Buildings.*	TOTAL
	2 story	3 story	4 story	2 story	2 story	3 story	4 story	2 story	3 story	4 story	5 story					
43d street.....	..	....	..	2	..	..	..	....	..	..	..	..	..	..	..	2
49th "	..	....	..	1	..	..	..	....	..	..	..	..	..	..	..	1
63d "	..	....	..	..	..	..	..	....	..	..	..	..	..	..	1	1
79th "	..	....	..	2	..	..	..	....	..	..	..	..	..	..	..	2
86th "	..	....	..	2	..	..	..	....	..	..	..	..	..	..	..	2
110th "	..	....	..	..	..	..	..	....	..	..	..	..	..	..	1	1
116th "	..	1	..	..	..	..	..	....	..	..	..	..	..	..	..	1
125th "	..	....	..	..	..	..	..	....	..	..	..	..	1	..	..	1
	86	453	23	96	16	93	18	3	16	37	16	35	33	15	23	971

DOCUMENT No. 75.

BOARD OF ALDERMEN,

MARCH 7, 1842.

Report of the Committee on Laws and Applications to the Legislature on the Memorial of the Trustees of the Public School Society, in relation to the Laws now before the Legislature, for the extension of the benefits of Common School Education. Laid on the table and ordered to be printed.

SAMUEL J. WILLIS, Clerk.

The Committee on Laws and Applications to the Legislature, to whom was referred the annexed memorial of "The Public School Society, of the City of New York," urging the Common Council to ask the Legislature to suspend all action in relation to any change in the law for the distribution of the public school moneys, until time should be given for a Joint Commission, to be appointed by the State and City Governments, to examine and report upon the subject, or for the deliberate adoption of such other course as may appear to be expedient,

REPORT:

That the subject to which the attention of the Common Council is again invited, is admitted on all sides to involve considerations of the highest importance and of the utmost delicacy. They are important, because the interests of the common schools of our country are identified with the welfare and existence of our republic; and they require to be treated with the most delicate regard to the feelings of those who are concerned, because our school system, as at present administered, is supposed to prevent a large class from availing themselves of its benefits, from motives of conscience.

It is impossible for your Committee to pass upon the application of the memorialists without considering the whole subject to which it refers. The expression on their part of a mere simple affirmative or negative, without expressing the general views which they entertain, might be subject to very great misconstruction.

Your Committee have brought to this examination, a deep sense of their responsibilities, and notwithstanding the portentous issues which it has been supposed to involve, as their only aim is to discharge their trust faithfully, they confide the results to the candor and good judgment of the people.

The propriety of applying any of the public moneys to sectarian purposes is no longer a question for discussion. So far as the Common Council are concerned, that subject has been put at rest, and it is to be hoped, for ever. The last surrender of the American public, would be that of their unrestrained and unbiassed right of conscience by any means of the Government. In this respect, they know of no preference and of no distinction of sects. They have read of the persecutions of the reign of Queen Elizabeth, as well as those of Mary, and perhaps hardly of any more bitter and unrelenting, than those which attended the early settlement of our more favored country. But they need not the expe-

rience of history. The principle of universal toleration is innate with our countrymen ; it forms a part of our Constitution, and is the pride of our land. Under it all religions flourish ; which, as they spring from the heart, and furnish its consolations, render the whole people contented and happy. Rude must be the hand that would seek to destroy such deep and holy foundations of hope and comfort.

No such effort is now sought to be made. There is no application either to the Legislature or to the Common Council, to have any part of the school fund placed at the disposal of any religious society, or appropriated to any of their uses.

Your Committee understand the question at issue between the Public School Society and the applicants for Legislative interference to be of a very different nature.

On the part of the petitioners to the Legislature, it is contended that the benefits of a common school education are not, and cannot be extended to many thousands of poor children in the City of New York, owing to the peculiar organization of the schools selected as the recipients of school moneys ; and they ask for a more enlarged and liberal bestowment of the patronage of the state. Not with a view to the use of one dollar of the public moneys for sectarian purposes, or for the inculcation of sectarian doctrines ; but because they deem it a matter of primary interest to the republic, that *all* of its children, who are to be the future men and women of America, and upon whose intelligence will depend its future destinies, should be trained up in our public schools, instead of being left to gather their education from the haunts of vice and infamy.

The advocates of the Public School Society, among the Trustees of which are numbered some of our best citizens, and most disinterested philanthropists, evince as strong an anxiety for the most extensive dissemination of education, and especially among the poorer classes ; and urge that the schools of their Society are open freely to the instruction of

all who will come. And they strenuously urge that "the Institution which they represent, has matured and for many years conducted with unequalled economy, a system of education, unsurpassed by any other."

No person can be more thoroughly convinced than are your Committee, of the entire truth of all that is claimed in behalf of the schools of the Public School Society. They are the nurseries of intelligence and of virtue; and the only cause for regret with regard to them is that they do not *practically* meet the entire wants of the whole people; that they do not, *in fact*, educate all the children in our city. If this were entirely owing to the mere negligence of parents of the wants of their children, it could furnish no ground to suppose that the system of the public schools could either be extended or improved. But if any particular classes of children, of whom there are hosts in our city, are not found in the public schools, then there is room to suppose that something may be done to improve the system of general education. Any visiter who will frequent the schools of the Public School Society, will be struck with admiration at the means and power of inculcation of useful knowledge which are there bestowed, his sympathies will be tenderly moved, and he will come away impressed that it is a praiseworthy and noble institution, and one of the main pillars of our Government. But after all, some things will be found wanting. If he be a stranger, and has walked blindfolded through the streets, he will suppose we have no very poor, and will be only reminded of his mistake when the light of day has revealed to him swarms of half-dressed urchins, the forlorn children of destitute poverty. And if he has asked the question, he will have found, too, that of some religious persuasions, not one solitary little member was in the school, or had been for some years. If his inquiries had been further extended, he would very likely have found all this to be a very strange enigma. The rules of the school recognise no distinction of religion or of poverty—

all are free to come and are welcomed. Not only so, but the most praiseworthy efforts have been made to visit and entice the children of want to the school. But still many, very many, do not come. No fault can be attributed to the Trustees or to the teachers. The very excellence of the system of common school education in our city has made them the substitutes for the very large and numerous pay schools that formerly abounded, and numbering from three to eight hundred scholars in each. They are now nowhere to be found. The same class of children now frequent the public schools, and the pay schools of the city have mostly become what are called select schools. All this redounds to the credit of the Trustees of the Public School Society. Their aim has been to make their schools rival the best in the land; and they have succeeded. The patronage bestowed upon them by our citizens, who are perfectly able to pay for the education of their children, shows how much the superiority of these schools is appreciated. May there not, then, be something in the association of the scholars which cannot, and perhaps ought not, to be prevented, so far as the present public schools are concerned, which forbids the attendance in them of the very poorest of the poor. It is not the exterior covering which characterizes the soul and spirit of children more than of men. The ragged and unprovided will not brook association with those who seem their betters. Is not this worthy of an effort to be relieved? It is the child of squalid want, whose food is a crust of bread, and whose bed is the floor, to whom instruction is most valuable, and who will best requite it. If his mind be not enlightened his temptations lead him to crime; but if educated, his hopes, like his capacities, become unlimited. Extend the blessings of education to every benighted mind, and we have nothing to apprehend from bigotry or intolerance. Let the rays of science illuminate the pathway of religion, under the influence of our free institutions, and all sectarianism will become enlightened christianity.

It seems to your Committee that by popularizing in some degree the common school system, thereby interesting the parents of all children, greater inducements may be held out to this most interesting portion of our fellow creatures, to acquire the means of education. One of the great experiments which our country is making, and in which she is much interested, is to elevate the standard of the lowest citizen to a perfect equality, in point of privilege, with the highest. This cannot be done without universal education. The philanthropists of the New World have established a new philosophy, that it is better that wealth, and all the comforts of life, should be scattered and subdivided through every section of the land, than to be hoarded by a few, and only spread over favored sections. The principles of our Government prefer the wide spread diffusion of happiness and of plenty, to cheer the firesides and gladden the hearts of all, rather than that the exhibitions of national wealth should be made in the trappings of a splendid Government, or in the fretted domes of the rich few, made more dazzling by their contrast with the famishing misery around them.

As to one religious denomination, whose applications have given rise to the present discussion, its members admit that they have unalterably determined not to send their children to the public schools, as at present constituted. They urge that this course is adopted from motives of conscience, and a high sense of duty. Others call it prejudice. "Who art thou that judgest?" Your Committee do not feel qualified to enter upon such a task; nor to determine, no matter of what character their feelings may be, whether they may have been either fostered or provoked. Every man is sensitive about his religious belief; he deems it to be consecrated ground; public discussions have been had; epithets engender strife; but your Committee forbear. The feelings of all should, if possible, be harmonized. This can only be done by foregoing every thing that is impracticable, and by establishing some system that shall be destructive of no present

good, and at the same time make the means of public instruction available to all.

Your Committee, then, deeming that the appropriation of any of the school money to sectarian purposes is not only impracticable, but that no such principle is deemed desirable by any, are decidedly of opinion that no law should be passed by the Legislature which should not exclude the possibility of any such appropriation.

Your Committee deem it a matter of paramount importance to preserve the usefulness of the Public School Society, and of the other schools which now participate in the school fund. They deem that the destruction, or the seriously impairing of these institutions would be an injury almost irreparable; and it is their decided opinion that no law should be passed which would have any such tendency.

The question remains, how can the system be so extended as to meet the wants of all?

It seems to your Committee that this can be effectually done, by giving to the Commissioners of School Moneys the right of appropriating the fund among the schools already established and others to be established, by competent persons as the Trustees thereof, upon procuring evidence of the organization of a school of an established number of children, in such favorable location as shall be satisfactory to the Commissioners, and under such checks as the Legislature may see fit to impose.

The principal objection that has been made to such a plan, is that it might greatly impair, if not entirely destroy the usefulness of the Public School Society. It is important to examine whether such a consequence can be reasonably anticipated.

The schools of the Public School Society, numbering one hundred and two, would all be retained. These schools are established upon so firm a basis, and have earned so faithfully the affection of all who are connected with them, that any injury to them, arising from competition, if such could

be considered a legitimate ground of objection, is not to be apprehended; the particular location of any new school being within the province of the Commissioners. The only way in which they could be affected, would be by the presentation of other children, not taught by the Public School Society, as applicants for a share of the public bounty. In that way, and in that way alone could the usefulness of the Public School Society be impaired. Not by diminishing the number of their scholars; not by interfering with their present unsurpassed organization; but only by making them sharers with others in the participation of the Common School Fund; and this, too, only in proportion as others presented new objects for the exercise of the munificence of the State, and such as were equally entitled to its enjoyment. Can this be considered an impairing of the usefulness of the Public School Society? It can only be so considered upon the same principle that an increase of the population might be supposed to impair such usefulness, because it might present new competitors with the children they already have. The public schools under the charge of this society are nearly, if not quite, all full; they could not accommodate many more scholars. If, therefore, new applications are presented, the Public School Society must increase the number of the schools, and provide new teachers. What difference then will it make to them, so far as the welfare of their one hundred and two schools are concerned, whether the accommodation for the new claimants be provided through *their* instrumentality or that of *others*. Competition cannot injure them. It has not so operated, so far as regards the seventeen other schools, specially delegated by the Common Council, as partakers with them in the common fund; and there is no reason to suppose that it would so operate, if such competition were left limited only by the wants of education. The Public School Society, certainly, do not mean to urge that they should be the sole dispensers of the means of instruction provided by the whole people.

The organization of their society, as liberal as it is, admits of no such claim.

It seems to your Committee, that in view of the whole subject, and of the admitted fact that many thousands of the children in the city are growing up in entire ignorance, and that many of those who are educated, although entirely destitute of parental means, are not enabled to enjoy the benefit of the ample bestowments of the State, the true and only question is, shall any effort be made to bring in the *whole* family of children, as one flock, to drink at the same fountain of knowledge and virtue? Who is there that in this view of the subject will object? Your Committee cannot find it in their hearts to do so; and they believe that the intelligence and the patriotism of the memorialists and of the whole country will sustain them in the position that one united effort should be continued and continued on, until crowned with full and complete success.

The means whereby so great an end may be accomplished, must, of course, be a subject for full discussion before the Legislature. But as the evils proposed to be remedied by the Legislature are great and imminent, and as they are clearly presented to the minds of your Committee, they see no reason why they may not be acted upon at once.

Your Committee recommend the adoption of the following resolutions:

Resolved, That in the opinion of the Common Council, Commissioners for each ward in the City of New York should be elected at a special election, to be held every year, under the direction of the Common Council, whose duty it should be to distribute the public school moneys among the Trustees and Managers of the Public School Society, and such other schools as are now designated by the Common Council; and also among such other Trustees or Managers of Schools as should be organized under the sanction of such Commissioners, subject to such checks as the Legislature

may impose, to prevent any sectarian doctrines from being taught in any such schools.

Resolved, That the Counsel of the Corporation be, and he is hereby instructed to prepare a memorial, and cause the same to be presented to the Legislature, embodying the foregoing report and resolution.

Respectfully submitted.

EDWARD S. INNES,
MOSES G. LEONARD.

MEMORIAL.

To the Honorable the Common Council of the City of New York:

The Memorial of the Trustees of the "Public School Society of the City of New York," respectfully showeth:

That circumstances affecting the cause of Common School Education in this city, seem to demand the interposition of the Local Government; and your memorialists have been so long intrusted with its immediate management, under the supervision of Commissioners appointed by your Honorable Body, that they feel it to be their duty, and they apprehend that public expectation requires, that they should appeal to, and invoke the aid of those to whom the people have more immediately confided this important trust.

It is not deemed necessary to rehearse in detail the opposition which the existing system of education has recently had to encounter, nor the various and strenuous efforts which the Trustees of the Public School have made to reconcile conflicting interests, and remove unfounded jealousies. The history of these proceedings is spread upon your journals, and is familiar to the public mind.

Nor can more be necessary than to advert to the repeated instances, in which applications for portions of the school money, for the support of sectarian or church schools, have been rejected. These decisions were approved and sustained by a unity and depth of public feeling, which will prevent their being speedily forgotten.

It is found, nevertheless, that those citizens who claim to be aggrieved by the present Public School System, have ap-

plied to the Legislature of the State, to interpose its authority and radically to change that system, and it is to this fact that your attention is respectfully solicited.

There are now two bills pending, one in each branch of the Legislature, avowedly for the purpose of extending the benefits of education in the City of New York.

Your memorialists have examined these bills with that degree of interest, which their own intimate connection with the subject may be supposed to create, and with the lights which long and well-tried experience could scarcely fail to shed; and they are persuaded that the enactment of either of them would greatly impair the usefulness, if not entirely destroy the existing system of Public Schools.

The bill in the Senate, instead of removing the objection urged, by some, against the present system, that it is controlled by an irresponsible corporate body, provides for the creation of an indefinite number of corporations, equally irresponsible of the people, and far more exclusive and difficult of access; and its practical operation, whatever may have been the intention of its authors, would grant to church schools, indirectly, that which has so often and with such remarkable unanimity been denied to open and direct applications.

The haste with which the other bill is urged to its completion, does not afford time for that full and careful examination of its provisions and of their adaptation to the peculiar circumstances of large, dense and mixed population, which the high importance of the subject requires.

Your memorialists will, therefore, briefly say, that it will destroy that uniformity in books, classification and modes of study which now prevail, and which in a population so accustomed to removing from one part of the city to another, presents advantages which can scarcely be over estimated. The short period of time that a large portion of those children who depend upon common schools for an education, are permitted to attend them, renders it important that none

of it be wasted in efforts to acquire a knowledge of different and adverse plans of study.

It deprives your memorialists of that independence in the free choice of teachers, in the "government" of the schools, and in controlling the "course of studies to be pursued" in them, which is, in their opinion, absolutely essential to a healthy and beneficial action of the system.

Nor can they discover in the bill, or in either of the statutes to which it refers, any provision for the support of the schools for training teachers, now conducted by your memorialists, and which have produced the most happy results. By thus furnishing well qualified instructors, one of the greatest difficulties formerly encountered, and one which every annual report of the Superintendent of Common Schools shows, is a prominent and most serious obstacle to the prosperity of the District Schools of the State at large, has, so far as regards this city, been in a great measure overcome.

Indeed, your memorialists are of the opinion, that the bill in question has been framed without a practical knowledge of the subject to which it relates, that it proposes a system entirely too complex, one which probably would result in substituting, for the present Public School System, the District System of the State, while all experience shows that the latter is not at all adapted to the exigencies of this city. For your memorialists do not admit that the District System works well in other cities of this state. On the contrary, there is abundant evidence that the reverse is the fact, and that efforts have been made in several of them, and particularly in Brooklyn, whose population most nearly resembles our own, to procure modifications that would assimilate them to the plan of the Public School Society.

Your memorialists moreover affirm, that in their management, quality and results, the District Schools of the State, will not bear even a remote comparison with the Public Schools of this City; and they are unable to see why the manifest superiority of the latter is not attributed to that very

organization and management which it is now sought to supersede.

The reports of the Superintendent of Common Schools have, for years past, deplored the almost entire neglect of duty, on the part of a large proportion of the Inspectors of Common Schools, elected by the people; and with great truth and force contend, that good schools cannot be expected without vigilant and constant inspection.

There has, however, within a few years, been a great *improvement* in this respect; which, it is worthy of especial notice, the late Superintendent, in his report of 1841, attributes to the example and influence of County Superintendents, *not elected* by the *people*, but *appointed* by *himself*; and yet the report of the present year furnishes the following most extraordinary picture:

Of the 10,886 District Shools in the State, 298 did not make any report; of the remainder, 3,620 were not visited at all; 3,210 were visited but once; and only 376 districts received four or more visits during the year.

Constrast this with the fact that more than ten thousand recorded visits have been made annually for a series of years past, by the Trustees, to the 100 schools under their care.

The institution represented by your memorialists has matured, and for many years conducted, with unequalled economy of expenditures, a system of education not surpassed by any other.

This is fully sustained by the annual reports of the Commissioners of School Money, who derive their appointment from the City Government; by the reports of numerous successive Committees of that Government; by the concurrent testimony of intelligent and observing travellers, who were acquainted with the systems and schools of other cities and countries; and by the report of a Special Commission appointed to inspect them by the late Superintendent of Common Schools.

In view of these facts, does it not become a cautious and

practical people to look well to the probable consequences of supplanting such a system by the introduction of another.

To your memorialists it does not appear incredible that an adequate number of men, induced by taste, habit, or peculiar views of duty, should voluntarily associate and perform particular services with greater diligence and efficiency, than an equal number, whose selection may grow out of accidental circumstances; or, as could scarcely fail to happen in this city, out of political considerations.

If these views are sound, and if, as your memorialists contend, nothing can be more prejudicial to any system of public instruction than to expose it to the influence of religious feuds and party conflicts, they would seem to demand that nothing short of well grounded apprehensions of danger should induce a change from the existing system to another.

Whether the present system, guarded as it is by the supervision of persons who derive their power from the people, entirely dependent for its means of action on the people's representatives, and liable to any additional safeguards which the people may see fit to throw around it, should be made to give place to another, of doubtful expediency, is the issue now presented for consideration.

Your memorialists cannot, they think, in justice to themselves, or the system they advocate, refrain from remarking, that the report of the Committee of the Asssembly, which accompanied the bill now before that body, reiterates the estimates, charges and assertions which have heretofore been made in another, and a higher quarter; and which have again and again been proved to be fallacious, and destitute of foundation in fact; particularly as to the statement of the relative attendance at the District Schools of the Country and the Public Schools of the City. The last annual report of the "Commissioners of School Money" shows, conclusively, that the apparent disparity in favor of the former arises from the law of the State, which prescribes an entirely

different mode of making returns,—a difference that operates against the city in the ratio of four to one.

The Commissioners remark, "That no just contrast can be instituted from numbers representing, as in the country returns, every child as an attending scholar who had visited the school but for a day, and the city returns, whose highest numbers represent only the average *quarterly* attendance, would not seem to require illustration.

A striking evidence of the utter looseness and uncertainty of the country returns is furnished in the fact, that in more than one-half of the towns in the State, the number of children reported to the Legislature as attending the District Schools is considerably greater than the *whole* number *residing* within the same towns; and yet we find, that in grave public documents, efforts are made, from such fallacious data, to prejudice the public mind against the school system of the city, and to prove that it has "failed to accomplish the objects contemplated in its establishment."

The comparative cost of tuition is equally incorrect; and arises, your memorialists are willing to believe, from a want of acquaintance with the subject.

It is a fact, susceptible of proof, that the cost of education in the city, so far as the same expenses are embraced, is less than the aggregate cost in the country. The error in the report probably arises from the Committee not knowing that in the country those who are able, pay for the tuition of their children, and provide them with the necessary books, stationery, &c.; while in the city, *all* are taught gratuitously, and books, fuel, &c., are furnished at the public expense.

There is no part of the report under review, which has caused more surprise than the alleged unpopularity of the Public Schools. Where the evidences of this are to be found is not known to your memorialists. Certainly not in the repeated and almost unanimous rejection by the Municipal Government, of every application to disturb them; nor in

the pointed manner in which the public voice has sustained these decisions.

In relation to the attempt to infer a consciousness, on the part of the Trustees, of a waning popularity, from their efforts to bring into the public schools the neglected and vagrant children of the city, a practice coeval with the society, your memorialists will simply remark, that it is an echo of a charge previously made in another quarter, and that it is as ungenerous as it is untrue.

In conclusion, your memorialists have to say, that deeply as they would regret the consequences, they do not desire to retain the trust so long confided to them, one hour after a clear manifestation of the wish of their fellow citizens to have them relinquish it. But they do contend, that the District System of the State is not at all adapted to the City of New York—that the plans now under consideration in the Legislature, are destitute of system—that they would throw the whole subject into confusion, and, finally, they contend and respectfully submit, that the high importance of the interests involved forbids hasty legislation, and demands that, whatever is done, should be the result of the most deliberate and mature investigation.

With these views and feelings, your Memorialists respectfully urge, that your Honorable Body ask the Legislature to suspend action in the premises until time is given for a Joint Commission to be appointed by the State and City Governments to examine and report upon the subject, or for the deliberate adoption of such other course as may appear to be expedient.

ROBERT C. CORNELL, *President.*
A. P. HALSEY, *Secretary.*

DOCUMENT No. 76.

BOARD OF ALDERMEN,

MARCH 14, 1842.

Report of the Committee on Laws, &c. with a plan in relation to the equalization of the Wards of the City, and the Report which was referred back to them as presented February 28th. Laid on the table and ordered to be printed.

SAMUEL J. WILLIS, Clerk.

The Committee on Laws and Applications to the Legislature, to whom was referred the report recommending an application to the Legislature to equalize the wards of the City of New York, with instructions to report a plan at the next meeting of the Board, have, in accordance therewith, agreed on a plan of re-organizing the wards, and herewith respectfully submit the same; and after a careful and deliberate examination of the subject, present the plan for adoption, as the result of their best judgment; hoping that it will be found on an examination to have been calculated as correctly as the nature of the data would allow, taking either the United States census of 1840, or the State census of 1835.

The proposed alteration will be, to make the *First*, *Second*, *Third*, and part of the *Fourth* wards into *two* wards. To make a new ward, or election district, from the *Seventh*, *Tenth*, and part of the Fourth ward, then to make the other ward, or election district, from the Eighth and Ninth wards. This division will give to each nearly five of the present election districts. The rate of population on an average of the seventeen wards made, on the census, taken 1840, (being 312,710 population of the city) will give to each about 18,400 inhabitants, and of the population of the

First ward, in 1840, say.....	10,629	
Second ward "	6,394	
Third ward "	11,581	
Fourth ward " (part of population being 15,770).....	8,000	
	———	is 36,604

which will give as near as possible the requisite number of inhabitants for two wards.

To supply the place of the Third ward, the plan proposes to do so by taking the remaining part of the Fourth ward, say..... 7,500 population.

Part of the *Seventh* ward, (the population of which was 22,982,) say	7,500	"
Part of the *Tenth* ward (the population of which was 29,026,) one district	3,400	"
	18,400	"

To supply the place of the Fourth ward, it is proposed to take part of the Eighth and Ninth wards, the joint population of which were 53,868, which being divided into three, will give nearly the correct ratio.

Your Committee, acting on the supposition that it was not intended to have the present boundaries of the wards changed, unless from some very great disparity, have not thought it advisable to propose any alteration in the Fifth, Sixth, Eleventh, Thirteenth, Fourteenth, Fifteenth, and

Seventeenth wards. Of these wards, the Fourteenth has the greatest number of inhabitants, (20,235), (although it does not give so great a number of votes as the Fifth ward, which has a less number of inhabitants;) in this ward no change was proposed, as it is scarcely reasonable to expect any material increase in the number of inhabitants, it being at present densely populated, and well covered with buildings. Should no alteration be made in the present number of the wards of the city, a portion of the Seventeenth ward might, with some propriety, be added to the Fourth ward; say that part laying and being above Twenty-eighth street. This would add enough to the Twelfth ward to make it near the ratio of the other.

Your Committee had the subject of an increase number of wards under consideration, but did not deem the same to be advisable at this period. They are aware, however, that the necessary business of so large a city as New York, must, as a matter of course, impose heavy duties on the members of the Common Council. Should the question of paying the members be adopted, a change would undoubtedly be made in the course of business; then adopting the day for what is now usually performed in the evening: and it is confidently expected, that after the introduction of the Croton water into the city, which it is hoped will be in a few months, that the arduous duties of the Fire and Water, and the Croton Aqueduct Committees, will then be considerably lessened. We therefore submit for adoption the following resolution:

Resolved, That the Counsel to the Corporation be, and he is hereby instructed to prepare a memorial and accompanying bill, to be presented to the Legislature of this State, for a law to authorize the alteration of the boundaries of the several wards of this city, on the plan hereto annexed. And further, that there shall be embodied in the said bill, a law to authorize the Common Council, under the direction of

the Law Committee, (if they shall deem the same expedient,) to alter, once in every ten years, the boundaries of the wards, and organize the same anew, in such manner as to them shall seem best, and so that such wards may contain, as nearly as may be practicable, an equal number of inhabitants.

Respectfully submitted.

EDWARD S. INNES,
MOSES G. LEONARD.

MEMORANDUM.

In 1835 the City of New York contained 15 wards, and population of 270,089
Of these there were returned as being entitled to vote 43,098
Number of aliens 27,669
Paupers 1,799
Colored, not entitled to vote 14,977

This would give a result of one alien in every $9\frac{3}{4}$ inhabitants.
do. do. one pauper " $150\frac{1}{7}$ "
do. do. one colored " $18\frac{1}{6}$ "

The population, by United States census of 1840, was, the number of wards 17 312,710
Taking the ratio of the number of persons entitled to vote by the State census, we have 49,862 voters in 1840.
The same applied to aliens being ... 32,035
" paupers 2,085
" colored 17,078

The 17 wards, rated as per this table of 49,862 voters in 1840, ought to contain 2,933 voters each, and about 18,400 inhabitants.

If they were rated on the census of 1835, the result then is shown as $270{,}089 \div 15 = 18{,}006$ voters to each ward. Wherefore it will be readily perceived that there is but slight difference in the inhabitants between that of 1835 and 1840.

REPORT

OF THE

COMMITTEE ON LAWS, FEBRUARY 28, 1842, IN RELATION TO THE EQUALIZATION OF THE WARDS OF THE CITY OF NEW YORK, WHICH WAS REFERRED BACK WITH INSTRUCTIONS TO REPORT A PLAN COMPLETE AT THE NEXT MEETING OF THE BOARD.

Whereas, among the privileges most cherished by a free people, is the right to an equal representation in their Legislative Halls, to an equal voice in the formation of laws which tend to effect the security of their persons and property; and whereas the Constitution guarantees to the people, an equal representation in the popular branch of the General Government, and also the State Constitution contains a similar provision, enforcing at fixed periods, an equal apportionment according to population, as enumerated by census; and whereas, the practical enforcement of the principle of equal representation tends to awaken a lively interest in the proper administration of the Government, to enforce a rigid economy in the expenditure of the public money, and to require the most exact accountability from public agents, therefore

Resolved, That the electors of the City of New York are, of right, justly entitled to an equal representation in the City Councils, and this sacred right should not be withheld from them.

Resolved, That the representation as now established, is unequal, and therefore violative of the fundamental principle of representative government.

Resolved, That it be referred to the Committee on Laws, &c., to inquire into the expediency of applying to the Legislature, for the passage of a law dividing the City into election districts, said districts to contain an equal number of inhabitants as may be practicable; each district to be entitled to an equal representation in the City Councils; and in the event of the passage of such law by the Legislature, the question of its adoption be submitted to the people for their sanction or rejection.

By Alderman PURDY.

The Committee on Laws, to whom was referred the annexed resolutions, submitting it to them to inquire into the expediency of applying to the Legislature for the passage of a law for the more equal division of the wards of the city, so that each may contain, as near as practicable, an equal number of inhabitants, and be entitled to an equal representation in the City Councils; and in the event of the passage of such law, the question of its approval be submitted to the people,

REPORT:

That, as appears from the schedule hereto annexed, the wards of the city have become very unequal in point of population; the lowest containing 6,406, and the highest 29,093; and each, as at present organized, being entitled to an equal representation. Your Committee fully concur in the purport of the foregoing preamble and resolutions, that it is the just right of the people to be equally represented in every branch of the Government. The City of New York is especially liable to great fluctuations in her local subdivisions, arising from the rapid growth of the upper part of the city, and the conversion of the lower into places of busi-

ness. These changes have been going on for years, and yet a very long period has elapsed since any change has been made in the boundaries of the lower wards.

Your Committee, however, deem it entirely unnecessary to submit the adoption of any plan that may be proposed, to the people for their sanction, as it involves only questions of first principles, and to which there can be no reasonable objection; and the details of the plan must necessarily be settled, either by the Common Council or by the Legislature.

Your Committee deem that a change in the organization of the wards of the city should only be made when imperiously called for, and they concur in opinion that the present is a proper occasion for a more equal division of the representation in the City Councils.

They recommend the adoption of the following resolution:

Resolved, That the Counsel of the Corporation be, and he is hereby instructed, to prepare a memorial and accompanying bill, to be presented to the Legislature, under the direction of the Law Committee, for a law to authorize the Common Council, once in every ten years, if they shall deem the same expedient, to alter the boundaries of the wards and organize the same anew, in such manner as to them shall seem best, and so that such wards may contain, as nearly as may be practicable, an equal number of inhabitants.

Calculation of the proportion of Voters to the Inhabitants made on last United States census, in the several Wards of the City.

Rate of average in seventeen wards 18,404 inhabitants.

Wards.	Population.	Vote on Mayoralty Ticket, 1841.	Number of Electoral Districts.	Ratio of vote to each Inhabitant.
1st.	10,629	1,383	3	1 for every $7\frac{9}{13}$ inhabitant.
2d.	6,406	995	2	1 " $6\frac{4}{9}$ "
3d.	11,581	1,801	3	1 " $6\frac{4}{9}$ "
4th.	15,770	2,116	4	1 " $7\frac{3}{7}$ "
5th.	19,159	2,322	4	1 " $8\frac{1}{4}$ "
6th.	17,199	1,794	4	1 " $9\frac{5}{8}$ "
7th.	22,985	3,045	7	1 " $7\frac{8}{15}$ "
8th.	29,073	3,661	8	1 " $7\frac{7}{11}$ "
9th.	24,795	2,991	6	1 " $8\frac{8}{29}$ "
10th.	29,093	2,766	5	1 " $10\frac{4}{7}$ "
11th.	17,052	2,010	4	1 " $8\frac{1}{2}$ "
12th.	11,678	883	2	1 " $13\frac{5}{22}$ "
13th.	18,516	2,329	4	1 " $7\frac{2}{23}$ "
14th.	20,230	2,186	4	1 " $9\frac{1}{4}$ "
15th.	17,769	2,037	4	1 " $8\frac{7}{10}$ "
16th.	22,275	2,242	5	1 " $9\frac{7}{10}$ "
17th.	18,622	2,447	5	1 " $7\frac{5}{8}$ "

Greatest number of voters in 2d and 3d wards, 1 to $6\frac{4}{9}$

Least number of voters in 10th and 12th wards, 1 to $13\frac{5}{22}$ / 1 to $10\frac{4}{7}$

Respectfully submitted.

EDWARD S. INNES,
MOSES G. LEONARD.

DOCUMENT No. 77.

BOARD OF ALDERMEN,

MARCH 14, 1842.

The Committee on Laws, &c., to whom was referred a report from the Board of Supervisors in relation to the Collection of Taxes, presented the following report thereon, with the annexed Bills, to be presented to the Legislature at its present session, viz., for the earlier collection of taxes in the City of New York: also, for repealing the laws allowing Incorporated Companies to commute their taxes in the City of New York, and also, a Bill for repealing the law allowing the owners of real estate to reduce the valuation thereof by affidavit: whereupon the two former were passed and directed to be sent to the Board of Assistant Aldermen for concurrence, and the latter laid on the table and ordered to be printed.

SAMUEL J. WILLIS, CLERK.

The Committee on Laws and Applications to the Legislature, to whom was referred a resolution of the Board of Supervisors, recommending the Corporation to memorialize the

Legislature, at its present session, for an amendment of the present assessment laws, respectfully

REPORT:

That by section 15, of art. 2d, title 2d, Chapter 13, of the 1st part of the Revised Statutes, it is enacted, "If any person, whose real or personal estate is liable to taxation, shall at any time, before the Assessors shall have completed their assessments, make affidavit, that the value of his real estate does not exceed a certain sum, to be specified in such affidavit; or that the value of the personal estate, owned by him, after deducting his just debts, and his property invested in the stock of incorporated companies, liable under this chapter to taxation on their capital, does not exceed a certain sum to be specified in their affidavit, it shall be the duty of the Assessors to value such real or personal estate, or both as the case may be, at the sums specified in such affidavit and no more."

The examination which your Committee have given to the practical operation of this section, has resulted in a full conviction of the propriety of the application recommended by the Board of Supervisors; fully coinciding in the views of the Committee of that Board upon this subject, they append their remarks instead of any argument of their own. "Under this section the value of a large portion of the real estate was sworn down nearly forty per cent. below the valuation of the Assessors, at the making the assessment for the tax of the present year, while adjoining property of precisely the same value, remained at the original appraisement, thus practically enforcing an unequal system of taxation. The true end of laws imposing tax, should be to distribute the necessary burdens of the government by impartial rules; this has perhaps never been actually effected; the possession of property, which is the sole foundation of our rules upon this subject, cannot in all instances be certainly ascertained; the personal estate is a matter in which the evidence of the tax payer must be

admitted, it is necessarily unknown to the Assessors, and is the only evidence that can be procured; it is therefore the best evidence.

"The laws then which enable the tax payer to revise the assessment roll, as respects his personal tax under oath, cannot in this feature be improved. The value of real estate, however, is not subject to the same uncertainty and doubt; it is in the actual view of the Assessors, who are enabled to judge of its value correctly, according to, and comparatively with their scale of valuation, established in the assessment of all property in the district. It is not a high, or low standard of valuation that distributes unequal taxation, it is the fluctuating standard, which of necessity results from making as many Assessors of real estate, as there are owners of parcels of land, that mainly causes unequal taxation; in this respect in the opinion of your Committee, the law quoted above is imperfect. They therefore recommend the passage of a resolution annexed, to memorialize the Legislature so to amend the said section fifteen, as to confine its application to personal estate."

In this connexion, the attention of your Committee has been directed to sections 11, and 14, of title 4, Chapter 13, of part 1, of the Revised Statutes, which are as follows: "All Companies employed, wholly or principally in manufacturing, and all marine insurance companies, whose net annual income shall not exceed five per cent. on the capital stock paid in, and secured to be paid in, shall be entitled to commute for their taxes, by paying directly to the Treasurer of the County in which the business of the company is transacted five per cent. upon all such net income, made by such company during the preceding year.

The President or other proper officer of each company electing to commute, shall make affidavit before some officer authorized to take affidavits, stating the amount of such net income; and on filing the same with the Clerk of the Board of Supervisors, at their annual meeting, within two days

from the commencement thereof, accompanied by the receipt of the County Treasurer, acknowledging the payment of the proper commutation, such Board of Supervisors shall impose no tax on the property of such company.

Under these sections, a large productive capital can escape taxation, provided it produces no more than five per cent. It is under these sections, that the principle of taxing income only is established, and is confined solely to incorporations, while owners of wholly unproductive real estate, are annually taxed upon its value rated as improvable property. Were the principle of taxing income to be general when such income is below the standard of five per cent., a large amount of improved real estate in our city would be allowed to commute, the whole unproductive real estate of the county would escape taxation entirely, and a large portion of personal property which is now termed inactive, or yielding less than five per cent., as must be the case in conducting many mercantile and mechanical pursuits, would also either escape taxation, or be entitled to commute, if the principle of taxing income alone were extended from corporations to individuals. The exception of corporations under these sections is in effect augmenting the taxes upon the estates of individuals, and your Committee recommend the passage of an accompanying resolution, to apply to the Legislature to amend the said laws so as to make the said section inapplicable to this city.

A subject of great importance to the financial interests of the City Government, requiring correction by the state authority, has been brought to our notice in the report of the Comptroller, who remarks in substance as follows: "The necessity of making temporary loans to meet the current expenses of the year, in anticipation of the tax, arises from the fact that the tax imposed is not, in practice, collected until the year succeeding. Every effort has been used by the Department of Finance to effect the collection of the tax before the end of the fiscal year, but in vain. The wealthiest in-

habitants delay the payment of their taxes, until the latest period, within which they are allowed to do so without cost. The tax books are usually ready by the middle of October. The Collectors make but few collections until the 10th February following, on which day a penalty of one per cent. is added to the tax unpaid, by a law of the state, passed April 13, 1835. Were this penalty to be added in November instead of February, the tax could be realized to the Treasury within the year, and a resort to temporary loans be obviated; besides this, the interest thus to be saved would materially reduce the amount of the annual taxes. The inconvenience and expense attending the present dilatory system of collecting taxes has several times been brought to the notice of the Common Council." As a remedial measure, the present Comptroller, in his report of the year 1839, recommended the funding of one million three hundred thousand dollars, and an application was subsequently made to the state for the necessary power, but with partial success. At that time the temporary debt incurred for ordinary purposes exceeded the outstanding revenue nearly four hundred thousand dollars. The temporary debt at the close of 1841, incurred for ordinary purposes, was less than the uncollected tax by five hundred thousand and fifty dollars. This has enabled the city to dispense with a part of its former temporary loans. During the year 1842, however, new taxes are to be levied to meet the water interest; and perhaps the demands of the state to an amount estimated at six hundred and ninety thousand dollars; and as this will have to be paid by the city during the year, while the tax cannot be realized under the present law till next year, it will increase our temporary loans by that amount, to be raised in a period of great difficulty in effecting Government loans. Your Committee deem it unworthy of the resources of this great city, that it should thus become a perpetual borrower in competition with the trading community, and thus subject itself to a constant resort to its credit. It is but a prudent course if not an im-

perative duty to propose a remedy in time, and remove from the city the chance of hazarding its credit, by recommending an application for a change in the laws to take away the necessity of its exercise. They therefore recommend the adoption of the accompanying resolution, to apply to the Legislature, so to amend the laws as to impose the penalty of one per cent. on all taxes unpaid on the 30th November, and an additional one per cent. for every month succeeding.

All which, with the three accompanying resolutions, are respectfully submitted by your Committee.

EDWARD S. INNES,
MOSES G. LEONARD.

Resolved, That application be made to the Legislature in session, for the passage of an Act to amend existing Acts in relation to assessments and taxes, according to the provisions contained in the annexed bill; and that the Counsel of the Corporation, under the direction of the Committee on Finance, prepare a memorial to the Legislature, and that the Committee take measures to carry this resolution into effect.

AN ACT

RESPECTING "THE COLLECTION OF TAXES IN THE CITY AND COUNTY OF NEW YORK."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

§ 1. The Assessors annually chosen in each ward of the City of New York, shall, on or before the fifth day of June

next after being chosen, proceed to assess the property in their respective wards, according to law; and shall complete their assessments according to law, on or before the thirty-first day of August next following, and make out one fair copy thereof, to be left with one of their Board, on or before the first day of September next following; and shall thereupon, according to law, give notice of their having completed such assessment, and that a copy thereof is left with one of their number (naming him) where the same may be seen and examined by any of the inhabitants during ten days from the said first day of September; unless the same fall on Sunday, in which case such notice shall be given for the ten days succeeding the second day of September; and that they will meet at the expiration of the said ten days, at a place in the said notice to be specified, to review their assessments, on the application of any person conceiving himself aggrieved: and such proceeding shall thereupon take place as is by law provided. And such Assessors shall sign the said assessment roll, and deliver the same, on or before the first day of October next ensuing, to the Comptroller of the said City, who shall deliver the same to the Supervisors of the said City, at their next meeting; and that for any neglect, omission, or refusal to perform the requirements of this section, the parties offending shall be liable to the penalties mentioned in the 11th section of the Act of April 23d, 1823, entitled "An Act for the assessment and collection of taxes."

§ 2. The first section of the Act entitled, "An Act authorizing a per centage to be added to unpaid taxes in the City of New York," passed April 13th, 1835, is hereby amended so that the said section shall hereafter read as follows: Whenever any tax of any description on the estates real or personal, of the freeholders and inhabitants of, and situated in, the City of New York, shall remain unpaid on the 30th day of November, next ensuing the time prescribed by law for the delivery of the assessment rolls to the Collectors in

the said city, it shall be lawful for the Collector, whose duty it may be to collect such tax, to charge, receive, and collect, in addition to the amount of such tax, one per cent. on the amount thereof; and to charge, receive, and collect upon such tax so remaining unpaid on the last day of each month, between the month of November and the time prescribed by law for the Collectors in the said city to make their returns to the Chamberlain or Treasurer thereof, a further addition or increase of one per cent. upon the amount of such tax, and such increase or per centage shall be paid over and accounted for by such Collector as a part of the tax collected by him.

The Act entitled "An Act to amend the Acts respecting the collection of taxes in the City of New York," passed April 13th, 1839, is hereby repealed.

Amendment—Passed after being amended so that the books shall be open for amendment from the 20th of August to the 10th day of September.

Resolved, That application be made to the Legislature in session, for the passage of an Act to amend the Revised Statutes, according to the provision contained in the annexed Bill; and that the Counsel of the Corporation, under the direction of the Committee on Laws, prepare a memorial to the Legislature, and that said Committee take measures to carry this resolution into effect.

AN ACT

TO AMEND THE REVISED STATUTES.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

§ 1. That so much of section eleven and section fourteen, of title four, chapter thirteen, of the first part of the Revised Statutes, as relates to all Marine Insurance Companies, shall not apply to the City and County of New York.

Resolved, That application be made to the Legislature in session, for the passage of an Act to amend the Revised Statutes according to the provisions contained in the annexed bill, and that the Counsel, under direction of the Committee on Laws, prepare a memorial to the Legislature, and that said Committee take measures to carry this resolution into effect.

AN ACT

TO AMEND THE REVISED STATUTES.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

§ 1. Section 15, Art. 2d, Tit. 2d, Chap. 13th, of the first part of the Revised Statutes is hereby amended so as to read as follows: If any person, whose personal estate is liable to taxation, shall at any time before the Assessors shall have completed their assessments, make affidavit that the value of his personal estate, after deducting his just debts, and his property invested in the stock of incorporated companies, liable under this chapter to taxation on their capital, does not exceed a certain sum, to be specified in the affidavit, it shall be the duty of the Assessors to value such personal estate at the sum specified in such affidavit, and no more.

DOCUMENT No. 78.

BOARD OF ALDERMEN,

MARCH 21, 1842.

Report of the Committee on Charity and Alms House, in regard to purchasing property at the foot of Sixty-first street, at the ferry to Blackwell's Island. Laid on the table and ordered to be printed for the use of the members.

SAMUEL J. WILLIS, CLERK.

Resolved, That it be referred to the Committee on Charity and Alms House, to ascertain the lowest terms that will be received for so much property at the foot of Sixty-first street, as in their judgment is required for the public convenience, and report to this Board at their earliest opportunity.

BY ALDERMAN LEONARD.

The Committee on Charity and Alms House, to whom was referred the annexed resolution, respectfully

REPORT.

That in investigating the subject matter referred to them, they have thought proper to consult the opinions of the Judges of our Criminal Courts and the heads of the Alms House, Hospital, and Penitentiary Departments, on the propriety of the Corporation controlling the landing at the ferry to Blackwell's Island, and of providing a place of security for prisoners, and accommodation for the sick &c., on this side of the river, and annex their communications to this report.

Your Committee further report that it is a notorious fact that the sick who are sent to the hospitals on the island, are at present cruelly detained on the wharf without shelter, until the ferry boat can be forwarded from the island, and then embarked in all the inclemencies of the seasons, and in many instances, at the risk of their lives, and that prisoners, through the boat's crews, have free intercourse with citizens and their old companions.

Your Committee also report that in the establishment of a receiving house for the sick, &c., where contagious and infectious diseases are necessarily admitted, motives of humanity, as well as public policy, require that such building should be within an ample enclosure that will secure a free circulation of air, and prevent the spreading of any contagion amongst our citizens in the neighborhood.

Your Committee also report that the Chairman addressed a letter to the owner of the property, requesting him to state on what terms it might be purchased, and received the annexed reply.

The Committee after a careful investigation of the subject matter referred to them, are convinced of the imperative necessity of the immediate possession of this property by the public.

They therefore offer for adoption the following resolution, viz:

Resolved, That the proposition of Jeremiah Towle, hereto annexed, be and the same is hereby accepted

Respectfully submitted.

SAMUEL BRADHURST,
DAVID VANDERVOORT.

To the Committee on Charity and Alms House:

The subject of providing on this side of the river, at the ferry to Blackwell's Island, proper means for the security of prisoners, as well as suitable accommodations for the sick and others, who are under the necessity of being transported to the island, being now before the Committee on Charity and Alms House for their consideration, we deem it our duty as public officers to urge on the Committee and on the Common Council the necessity of providing such accommodations as well for security and protection, as to prevent the too open palpable intercourse now existing between the prisoners on the island and their associates in the city, which at present, baffles the best efforts of the Keepers, and of the Police.

New York, January 15, 1842.

E. STEVENS,
H. W. MERRITT,
MILN PARKER,
GEORGE W. MATSELL,
Police Magistrates.

F. A. TALLMADGE,
Recorder of the City of New York.

B. W. OSBORN,
Clerk of Police Court.

JOHN MYER,
Superintendent of Alms House.
ALEXANDER F. VACHE,
Resident Physician.
JOHN McCLELLAND,
Assistant Physician at Lunatic Asylum.
JOHN W. BROWN,
Keeper of Blackwell's Island.
JAMES H. RUCKEL,
Deputy Keeper of the Penitentiary.
HENRY VANDERVOORT,
Clerk of Sessions, &c.

New York, December 31, 1841.

SAMUEL BRADHURST, ESQ.,

Chairman Committee Charity, &c.

Dear Sir—In reply to your favor of the 16th instant, requesting to know on what terms, and at what price I would be willing to part with, or dispose of my property at the foot of Sixty-first street on the East River, I must say that I do not wish to part with the whole of my property on the East River at the present time: and I feel a delicacy in naming a price, at a time when all prices of real estate, and particularly of property out of town, is so precarious and unsettled; but I will submit that part of it which is deemed the most essential to appraisement, the usual way of taking private property for public purposes, and will endeavor to make to you such a proposition as I think cannot fail to be satisfactory to the constituency of the Common Council, which will prevent all unpleasant discussion, and in the adoption of which I shall have no right to complain of injustice, even if I should be disappointed in the valuation decided upon.

The property which I would be willing to part with is described as follows, viz: all those certain six lots of land in the Twelfth ward of this city, forming a part of the Mount Vernon property, and known and distinguished on a map of the same, made by Edward Doughty, City Surveyor, dated September 5, 1826, and on file in the office of Register, in and for the City and County of New York, by lots Nos. nineteen, (19) twenty, (20) twenty-one, (21) forty, (40) forty-one, (41) forty-two, (42) and bounded as follows, viz: beginning at the south-west corner of avenue A, and Sixty-first street, thence running north-west along said street, three hundred and thirteen feet to the easterly line of lot No. 22; thence along said line at right angles with Sixty-first street

to Sixtieth street; thence along Sixtieth street 273 feet to land of the late Thomas C. Pearsall; thence along said Pearsall's line to avenue A; thence along said avenue to the place of beginning; together with all my right, title, and interest in avenue A and wharf in front of the said lots on the East River.

I will therefore submit that the above described property be taken on the following terms, viz: that the Committee on Charity and the Alms House be empowered to appoint one appraiser, that I be authorized to appoint another, and that the two thus selected be empowered to choose a third, who shall not be obnoxious to the Committee or to me; all of whom shall be sworn faithfully to perform the trust confided to them, and their award and decision, or the award and decision of a majority of them shall be binding on both parties.

Very respectfully.

J. TOWLE.

DOCUMENT No. 79.

BOARD OF ALDERMEN,

MARCH 21, 1842.

Report of the Committee on Arts and Sciences and Schools, in regard to the Establishment of Messrs. Collon & Cantel. Laid on the table and ordered to be printed.

SAMUEL J. WILLIS, CLERK.

To the Honorable the Board of Aldermen:

The Committee on Arts and Sciences, &c., to whom were referred that part of the communication received from his Honor the Mayor, bearing date the 15th of November, 1841, which related to the proposition of Messrs. Collon & Cantel, and the accompanying documents, beg leave respectfully to

REPORT:

That Messrs. Collon & Cantel have formed an establishment, and erected certain works, on Forty-first street, near the Hudson River, for the purpose of converting the car-

casses of dead animals into various useful materials, and thus render one of the nuisances to which our city has, hitherto, been exposed, a source of individual employment and prosperity, and of public advantage and national wealth.

To render this plan effective, they ask a modification of existing ordinances, in relation to the disposition of the bodies of dead animals, and the enactment of new regulations, better designed to prevent delay and undue exposure in the removal of carcasses, and wholly preventing these nuisances from returning upon our citizens, and floating around our wharves, as they now do, after being thrown into the rivers. The Committee have deemed the subject to which his Honor the Mayor has invited the attention of the Board, to be of great importance to the cleanliness and health of the city, and they have bestowed upon it an unusual degree of attention. They have been sensible that the existing ordinances did not provide an effectual abatement of a most revolting nuisance; and in many cases, after our citizens had fully complied with the requirements of the law, and removed the carcasses and thrown them into the river, they have been carried by the ebbing and flowing of the tides, into and around our most important places of business; becoming there, in many cases, more offensive to our citizens than if left to decomposition without any removal.

In considering the laws rendered necessary to preserve public health, and to keep our city free from nuisances, your Committee have been deeply impressed with the importance of consulting the convenience of our citizens.

The existing ordinances on the subject of the disposition of the bodies of dead animals, seem to have been founded principally upon that view of the subject; for under their operation the evil remains for a longer or shorter time, and frequently in a more exposed and aggravated form.

A change in our present laws, by which the bodies of dead animals can be effectively and completely removed, is obviously desirable, provided such means can be found, without

introducing a nuisance in another form, or interfering with the rights of our citizens, to have these public objects accomplished with the least practicable inconvenience and expense to them. Your Committee have, therefore, examined with attention the plan submitted by Messrs. Collon & Cantel, and have visited their establishment, erected for this object, in Forty-first street, near the Hudson River. It appeared to your Committee to be essential that such an establishment should be located where it could produce no injury or inconvenience to the owners of the adjacent property, and give no offensive exposure to our citizens; and from a personal examination of the ground selected by Messrs. Collon & Cantel, it appears to your Committee that a more retired or secluded spot, or more secluded from observation, and, at the same time, furnishing all suitable facilities for the business proposed to be conducted, could not be found upon our island.

The adjacent lands belong to the estate from which Messrs. Collon & Cantel have obtained their lease of these premises for the purpose of this business; and the location is upon an indentation of the river, as far removed from the channel of navigation as any point that could be found—it is also remote from any public thoroughfare upon the island, and so distant from the part of the city now covered with buildings, that it may long exist before any growth of the city will bring its actual occupation within the reach of any influences that may arise from the prosecution of the business.

The location made for the purpose being such as your Committee fully approve, the important question remains to be considered, whether these public and private advantages can be secured without imposing undue burthens upon our citizens.

Upon examining the legislation of other cities in the United States, in reference to this subject, your Committee do not find any municipal regulations providing for a simi-

lar establishment, except in the City of New Orleans. During the last year, it appears that provison was made by law to have the bodies of all dead animals transported to a place erected for the purpose, under an arrangement which commends itself for its simplicity and economy. In that city the Watch House was designated as the place at which notice of any dead animal was to be given, and it was made the duty of the proprietors to remove the body within twelve hours thereafter. The owner of any such dead animal, if known, was required to pay two dollars for each animal transported by the proprietors, or to transport the same himself, within twelve hours, to their establishment; and a penalty was affixed for any neglect of this duty. In the proposition which Messrs. Collon & Cantel have submitted to your Committee, they contemplate an arrangement more beneficial to our citizens than is provided in the Ordinances of the City of New Orleans. For the convenience of our citizens they propose to establish, at their own expense, three offices, at which notice may be left of the place where the body of any dead animal may be found, and to send for and remove any such body to their establishment, on the same day that any such notice is given, *free of any charge to the citizen or the Corporation.* They propose to locate their offices as follows, viz.: one in the Bowery, near Tompkins Market; one in Hudson street, near Canal street,; and one in Division street, at or near its junction with Grand street. They also engage to remove, *without any charge or expense to the city,* the bodies of all dead animals, of any description, that may be found in any of the public streets, or roads, or places of this city, upon a notice thereof being left by any Street Inspector, at one of the offices to be established by them. In return for these services, they only ask that it may be made the duty of our citizens to give immediate notice of all dead animals, at one of the offices to be established, or to remove the carcass thereof to their establishment at Forty-first street; and to prohibit the throwing of dead animals in

the public streets or places, and the throwing their carcasses into the waters adjacent to the city, under the ordinary penalties.

For the security of the public in the management of their establishment, they propose that the same shall be at all times subject to the inspection of the City Authorities; that it shall be kept with cleanliness; and if at any time it shall become dangerous to the public health, or interfere with the comfort or well being of the neighborhood where it is located, the Common Council shall reserve, and always possess, the right to close its doors, or to cause it to be removed.

Under the arrangement thus proposed, it appears to your Committee that the public health, cleanliness, and appearance of the city, will be essentially improved; the convenience and economy of our citizens promoted; and a class of subjects which, under existing regulations, are a source of continual offence, will be speedily removed, and converted into sources of individual profit and national advancement.

Your Committee therefore cordially recommend the plan suggested in the communication of his Honor the Mayor, to the adoption of the Board, and beg leave to propose the ordinances hereto annexed, to carry the same into effect.

All of which is respectfully submitted.

CALVIN BALIS,
MOSES G. LEONARD.

AN ORDINANCE

CONCERNING DEAD ANIMALS.

The Mayor, Aldermen, and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

§ 1. The establishment now provided by Messrs. Collon & Cantel, on Forty-first street, at the Hudson River, shall be the depot for the bodies of all animals dying within the limits of this city south of street.

§ 2. The said establishment shall at all times be subject to the inspection of the city authorities, and shall be kept with the utmost cleanliness. If from negligence, or any other cause, such establishment shall become dangerous to the public health, or interfere with the comfort and well being of the inhabitants in its vicinity, the Common Council shall always possess and hereby reserve the right to close its doors, or cause it to be removed to another location, as they may deem most expedient.

§ 3. It shall be the duty of Messrs. Collon & Cantel, and the proprietors of such establishment, within twenty days after the passage of these ordinances, to cause three offices to be provided, and to be kept and maintained, for the purpose of receiving notices of the place or places where any body of any dead animal may be found, which offices shall be located as follows, viz.: one in the Bowery, near Tompkins Market; one in Hudson street, near Canal street; and one in Division street, near its junction with Grand street.

§ 4. It shall be the duty of every citizen owning any animal which shall die within the limits aforesaid, or in the occupation of any lot of ground, dwelling houses, or premises, of any description, upon which the body of any dead

animal shall be found, and of the several Street Inspectors of the several wards in this city, immediately after such death, or the discovery thereof, to give notice thereof, and of the place where the body of such animal may be found, at one of the offices so to be established as aforesaid, or to transport, or cause to be transported, the body of any such dead animal to the depot aforesaid, under the penalty of

§ 5. It shall be the duty of Messrs. Collon & Cantel, and of every person and persons, who may hereafter become proprietor of, or interested in the depot aforesaid, to call at each and every of the offices so to be established and maintained as aforesaid, at least once each day, to obtain the notices or reports which shall be made to such offices under the provisions of this ordinance, or to transport, or cause to be transported to the depot aforesaid, all such bodies of dead animals as they may find, to be transported within twelve hours after such notice as aforesaid, under a penalty of for each offence.

§ 6. The burial of any dead animal within the limits aforesaid, or the throwing of any body of any dead animal into the waters bounding this city, or in any public street, highway, or place, within the limits aforesaid, is hereby prohibited, under the penalty of dollars for each offence.

§ 7. All ordinances, or parts of ordinances, contrary to the provisions of this ordinance, are hereby repealed.

DOCUMENT No. 80.

BOARD OF ALDERMEN,

APRIL 18, 1842.

Communication from the Comptroller relative to the Establishment of a Water Department, with a programme of a Law for the same. Laid on the table and ordered to be printed.

SAMUEL J. WILLIS, CLERK.

COMPTROLLER'S OFFICE,
New York, April 18, 1842.

To the Honorable the Common Council:

GENTLEMEN,—I have the honor to submit a programme of an Ordinance to regulate the Water Works of the City of New York, for your consideration. This shape has been adopted as the briefest and clearest form of communicating the suggestions it is my duty to make, and to show the practical operation of the plan I submit. An Act of the Legislature has been obtained at the late session, empowering the

Common Council to pass penal laws for the protection of the water works, and to establish a Department for the collection of revenues.

The Ordinance submitted, proposes to provide for keeping the aqueduct and pipes in repair; for gradually extending the distributing pipes as the city increases, and for fixing, collecting, and managing the revenue by an Executive Department according to the charter; the repairs and laying of the distributing pipes to be done by contract, made after public notice for proposals—the laying of the service or lateral pipes to be done by licensed persons, at the individual expense of the consumers; the rents to be paid in advance.

Respectfully submitted.

ALFRED A. SMITH,

Comptroller.

EXTRACT

FROM A LAW PASSED APRIL 11, 1842, ENTITLED

"AN ACT FOR THE PRESERVATION OF THE CROTON WATER WORKS."

The Mayor, Aldermen and Commonalty of the City of New York, are hereby authorized to pass such by-laws and ordinances as to them shall seem meet for the preservation and protection of all or any of the works connected with the supplying of the City of New York with pure and wholesome water, under and by virtue of the act to provide for supplying the City of New York with pure and wholesome water, passed May 2d, 1834, and the Acts amending the same; provided that such by-laws and ordinances are not inconsistent with any laws of this State, or with the Constitution thereof, subject at any time to be repealed or modified by the Legislature, and also to organize a department with full power for the management of such works and the distribution of the said water.

AN ORDINANCE

TO REGULATE THE WATER WORKS OF THE CITY OF NEW YORK.

The Mayor, Aldermen and Commonalty of the City of New York, in Common Council convened, do ordain as follows:

§ 1. A Department to be called the "Water Works," is hereby established.

§ 2. The Croton Lake, dam, aqueduct, bridges, reservoir, distributing pipes, hydrants, pumps, fountains, and stop-cocks belonging to the Corporation, of the Mayor, Aldermen, and Commonalty of the City of New York, and all land and works owned by the said Corporation, adjacent thereto, or connected therewith, shall be hereafter known and designated as the "Water Works."

§ 3. The Water Commissioners for the City of New York, are empowered to construct the aqueduct from the Croton River to the distributing reservoir according to law.

§ 4. All other executive duties pertaining to "the Water Works," are hereby imposed upon the department established by this ordinance.

§ 5. A Standing Committee, to be called "the Water Committee," shall annually be appointed by each Board of the Common Council, to whom all propositions relative to the water works, presented to either Board, may be committed. The said Committees shall have at all times the right to examine the accounts, vouchers, and the state of the department.

§ 6. The Mayor, Comptroller, Counsel to the Corporation, the Treasurer, the Superintendent, and the Chairman

of the Water Committees, shall, by right of office, compose the "Water Board;" any four of whom, the Comptroller being one, shall be competent to discharge the powers and functions of such Board.

Note—These officers are selected because the Mayor is the chief executive officer of the city, and as such, is charged to see all the laws executed. The Comptroller is the chief auditing officer, and is required here to be always present, in order that all acts of the Board shall be entered in the Comptroller's office. The Counsel to the Corporation is indispensable in the formation of the by-laws which the Water Board is empowered to make, and in the enforcement of them. The Superintendent will, at all times, be practically informed of the condition and requirements of the Water Works. The Chairmen of the Committees will form a ready link of communication with the Board and the Common Council.

§ 7. All vacancies in office in this department shall be temporarily supplied by the Water Board.

§ 8. The Water Board shall possess the powers and discharge the duties enumerated in this ordinance, or which shall hereafter be by ordinance declared.

§ 9. The Water Board is hereby empowered and directed to cause the water works to be kept in complete repair, including all station houses, wiers, offices and other edifices belonging to the water works; and at such places from time to time, to erect such other offices and station houses, as they shall deem necessary for the supervision and profitable use of the works.

§ 10. The Water Board are hereby empowered and directed to appoint all such officers, other than those created by this ordinance, as they shall deem necessary for the proper administration of this department, and to determine the compensation to be allowed to each of such officers, and fix

the nature and amount of surety to be given by each, for the faithful performance of their respective duties.

To fix, from time to time, the rate of rents to be paid by the inhabitants for the use of water, and prescribe such rules and regulations relative to their collection, and impose such penalties and forfeitures of money for the breach thereof, as they from time to time shall judge proper; no such forfeiture or penalty to exceed dollars, or to be binding where the Corporation shall have by ordinance specially provided a penalty for the same offence.

To cause all such public fountains to be erected, and such mains and distributing pipes to be laid, and such ordinary repairs to be done to the water works as they shall deem requisite, the amount thereof not to exceed the appropriations previously made for these objects respectively.

To direct the employment of so many agents, workmen, and other persons as they may judge necessary to effect the said objects, at such compensation as they shall judge reasonable.

To have the general care and superintendence of the water works, and to keep and preserve regular minutes of all their proceedings.

To file in the office of the Comptroller a certified copy of all rules and regulations and forfeitures established by their Board under this ordinance.

All officers of the Water Department, and all parties contracting with any such officers, or with the Water Works Department to be affected thereby, shall subscribe to the same before entering upon the office or trust they shall have accepted, or performing the work or service, they shall have undertaken.

To assign to all officers of the Water Department their respective duties.

§ 11. Whenever the Water Board shall have received from the Superintendent the plan of any extraordinary repairs or improvements on the water works, and a detailed

estimate of the expense thereof, if such estimate shall not exceed dollars, they may direct such improvements, or repairs to be made, provided the unemployed balance of the proper appropriation remaining unexpended will permit; but if the estimated expense exceed the said sum, or the said balance or either, they shall report the plan and estimate, with their opinion thereon, through the Mayor, to the Common Council.

§ 12. The Water Board may, from time to time, make such rules and regulations in respect to service and conduit pipes, tapping, paving and repairing the streets, and other matters affecting the distribution of the Croton water, and impose such penalties and forfeitures of money for a breach thereof as they may judge reasonable.

§ 13. Within twenty days after the second Tuesday in May, the Water Board shall make a report to the Common Council, stating the condition of the water works, the improvements and repairs made during the past year and contemplated to be made, the amount of money expended on the water works, and the receipts, with such recommendations in relation to the water works as they shall deem the public interest to require.

§ 14. Complete manuscript maps, with full notes, of the water works, and of the lands belonging to the said Corporation, adjacent thereto, or connected therewith, with all intersecting roads, towns, villages, &c. shall be made, on which the boundaries of every parcel of such lands to which the said Corporation shall have a separate title shall be designated, and the names of the former owners, and the date of each title be entered, under the direction of the Water Board, and when approved by that Board, shall be authenticated and filed in the office of the Comptroller of the city. A copy of such map and notes, so far as the same shall be comprehended in the County of Westchester, shall be transmitted and filed in the Clerk's office of that County.

§ 15. All contracts relative to the water works, directed to

be made by the Common Council or the Water Board, shall be made in writing; and of each contract three copies shall be executed by the parties—one of which shall be filed in the Comptroller's office, and one retained by the Water Board.

§ 16. All work to be done, and all materials to be purchased on or for the water works, except in sudden and imminent cases, shall be by contract, made after due public notice; and no money shall be paid thereon until such contract, approved by the Water Board, shall be filed in the Comptroller's office. All bills presented for payment shall be first approved by the Superintendent.

§ 17. Public notice shall be given of the time and place at which sealed proposals shall be received for contracts for, or on account of, the water works; which notice shall be published, at least one week, in the paper designated by the Corporation. No alternative, or indefinite condition, or limitation as to price, in a proposal, shall be received or acted on; nor shall more than one proposition, from any one person, for the same contract, be received. All the propositions, when more than one is offered from the same person for the same object, shall be rejected.

§ 18. Every person who shall enter into any contract for, or on account of, the water works, shall give satisfactory security for the faithful performance of his contract, according to its terms; and if any person shall neglect or refuse to perform his contract, he shall be excluded from any interest in any future contract in relation to the water works.

§ 19. No extra allowance, over and above the contract price, shall be made to any contractor, unless such extra allowance be directed by the Common Council.

§ 20. A Superintendent of the Water Works, a Water Purveyor, and a Register of Rents, shall be appointed by the Common Council, to hold their respective offices during

the pleasure of the said Common Council, unless sooner removed for cause by the Water Board.

Note—The Superintendent is the head of the Department, and is the principal supervisory officer. The Water Purveyor is subordinate to him, having desks in his office. The Register has his desk in the Comptroller's office.

§ 21. The Superintendent shall have the immediate care of the water works, and shall be a practical and scientific engineer. He is hereby created the head of the Water Department.

§ 22. It shall be his duty once in every three months, personally to inspect the whole line of the works, and report the result in writing to the Water Board. He shall appoint, with the assent of the Water Board, one or more suitable intendents, to reside at the several station houses, and assign to them their districts and duties, so that the whole line be daily inspected. There shall be a station house at the following places: the dam; the weir, one mile and a half north of Sing Sing; the weir at Mill River, north of Tarrytown; the river at Bolmars, two miles north of Yonkers; the weir at Tibbet's Brook, four miles south of Yonkers; the bridge at Harlaem River; the gates at Manhattan Valley; the receiving reservoir, and the distributing reservoir.

§ 23. There shall be appointed by the Superintendent a Deputy, to assist him in his duties, upon whom the powers and duties of the Superintendent shall devolve whenever such Superintendent is unable to perform his duties; and it shall be lawful for such Superintendent to exact sureties from such Deputy against any neglect or unfaithfulness in the performance of such duties.

§ 24. The Superintendent is empowered to examine into the qualifications of all persons that may apply for a license to tap the pipes, &c., and to grant license for that purpose; keeping a register of all such persons licensed, and making

a report thereof to the Water Board, who are empowered to cancel such licenses at any time.

§ 25. Whenever, in the opinion of the Superintendent, it shall become necessary or expedient to make any extraordinary repairs or improvements, it shall be his duty to cause accurate specifications to be made with an estimate in minute detail of the probable expense to be incurred, and to submit the same to the Water Board for their action. All work to be done or services to be performed, shall be to the satisfaction of the Superintendent, and with his approval, before any payment shall be made therefor.

§ 26. The Superintendent shall keep his office in the Old Alms House Building, open from 9 to 4 P. M.

§ 27. The Water Purveyor shall be under the immediate direction of the Superintendent, and perform such other duties not herein provided as may be assigned to him by the Water Board or Superintendent.

§ 28. It shall be his duty to attend all fires that may happen in the city; to provide against all unnecessary waste of water, see that all hydrants are closed at the termination of each conflagration; and for this purpose he shall have control of the Watch and Marshals attending. He shall report after each fire the names of the Marshals and Watchmen that assisted him, to the Common Council.

§ 29. The Register shall keep full and accurate accounts of the lettings of the water, and receive the rents for the same. He shall keep his accounts, make returns of the moneys collected, and adopt such mode of conducting his office as the Comptroller may direct.

§ 30. The applications must be in writing directed to the Register; all discontinuances must also be in writing addressed to the Comptroller.

§ 31. The Register is required to file with the Comptroller, on the first day of May each year, a duplicate of all the rents payable on that day. It is the duty of the Comptroller to

compare the same with his own books to correct any inaccuracy therein, and to notify the Register thereof if any are discovered.

§ 32. The supply shall be cut off in all cases where the rent is behind ten days.

§ 33. All persons contracting for a supply of water, shall at their own expense procure the materials and labor necessary to make the connexion with the conduit pipes, under the rules and regulations of the Water Board. No street shall be opened, nor pipes bored, or connexion made, unless under the direction of a licensed plumber, under the penalty of fifty dollars for each offence; one-half for the use of the city, and one-half for the use of the Fire Department Fund.

§ 34. All licensed persons are forbid to open any street pavement, bore any water pipe, for the purpose of conducting the water into any dwelling, or other edifice, under the penalty of fifty dollars for each offence, unless with the written permission of the Register, countersigned by the Comptroller and Superintendent, one-half of said penalty to go to the City Treasury, and one-half to the Fire Department Fund.

§ 35. All rents for the use of the water shall be paid in advance, at the time of applying to the Register for the water, and before any permit is issued, to be calculated up to the first day of May succeeding, and all rents shall continue to be collected in advance on the first day of May annually, so long as the contract exists.

§ 36. All rents and other emoluments which may accrue from the use and application of the water, shall, in the first instance, be applied to defray the interest on the water stock; next to meet the expenses of the water works; next to the redemption of the water stock; and thereafter to any further improvements to the City of New York, or in aid of the taxes on its inhabitants.

DOCUMENT No. 81.

BOARD OF ALDERMEN,

APRIL 18, 1842.

The following Message was received from his Honor the Mayor, setting forth his reasons for not approving the resolutions recommending the suspension of the work on the High Bridge over the Harlaem River, &c., &c., which was directed to be entered on the Minutes, and published in the papers employed by the Corporation.

SAMUEL J. WILLIS, CLERK.

MAYOR'S OFFICE, APRIL 6, 1842.

To the Board of Aldermen of the City of New York:

GENTLEMEN,—I herewith return to your Honorable Body the two following resolutions, which originated in your Board, with my reasons for not approving of them, viz.:

"*Resolved*, That it is inexpedient to proceed further, at present, with the work upon the permanent bridge over the

Harlaem River, beyond what may be necessary to bring the water temporarily across said river.

"*Resolved*, That the Comptroller, the Counsel to the Corporation, and the Street Commissioner, be deputed to confer with the Water Commissioners, and to negotiate with the contractors, subject to the ratification of the Common Council, for a settlement of all damages which may be claimed to be by them sustained from the temporary or final suspension of the contract for the construction of the said bridge, and that they report to the Common Council as soon as possible the result of their labors."

I will first present my objections to the first resolution. By reference to the Act entitled "An Act to provide for supplying the City of New York with pure and wholesome water," passed May 2, 1834, it will be seen that the whole construction of the work is given to the Water Commissioners, subject, in certain instances, to the approval of the Common Council.

The Act entitled "An Act prescribing the manner in which the Croton Aqueduct shall pass the Harlaem River," passed May 3, 1839, is as follows:

"The Water Commissioners of the City of New York shall construct an aqueduct over the Harlaem River, with arches and piers; the arches in the channel of said river shall be at least eighty feet span and not less than one hundred feet from the usual high water mark of the river to the under side of the arches at the crown; or they may carry the water across said river by a tunnel under the channel of the river, the top of which tunnel shall not be above the present bed of the said channel."

Under this statute the Water Commissioners made the contract to erect the high aqueduct across the Harlaem River, which these resolutions seek to suspend.

The 8th and 9th sections of the Act entitled "An Act to

amend 'An Act to provide for supplying the City of New York with pure and wholesome water,'" passed May 26, 1841, are as follows:

"§ 8. It shall be the duty of the Water Commissioners of the City of New York, to finish and complete the aqueduct for supplying the said city with water, down to and including the distributing reservoir at Murray's Hill, according to the plan adopted by the said Commissioners and ratified by the Common Council of the said City, with such immaterial alterations as may be necessary and as may be agreed upon by the said Water Commissioners and the said Common Council.

"§ 9. The said Commissioners, by and with the consent of the said Common Council, shall have full power and authority to change the plan of crossing the Harlaem River with arches and piers, and instead thereof to carry the water across the said river by means of inverted syphons of iron pipes, until otherwise directed by the Legislature, so as not unnecessarily to interrupt the navigation of the said river. And the said Commissioners are further authorised, by and with the consent of the said Common Council, to alter the plan of constructing the reservoir at or near to Yorkville, and to complete so much of such reservoir as shall be deemed sufficient for the present purposes of such aqueduct."

These statutes expressly preserve the navigable quality of the Harlaem River, and secure to the citizens living above the place where the aqueduct is to cross, the right and power to navigate said river.

All these statutes establish that the Water Commissioners are the power authorized to make and alter plans, subject however to the approval of the Common Council. The Commissioners must originate any alteration, and if the Common Council concur the alteration will be legal, provided it does not violate the letter or spirit of the statute.

These laws, the plan and the contract under them, compel the erection of a high aqueduct over the Harlaem River, and

any alteration of this plan to be legal must be recommended by the Water Commissioners, concurred in by the Common Council, and must not impair the navigation of the river.

These laws, by implication, give the right to interrupt the navigation of the Harlaem River, in such manner and for such period as the necessary work properly to build the aqueduct may cause, but in no other way and for no longer time.

The Act authorising the building of the aqueduct in the manner prescribed, gives no legal right to construct a temporary dam for the purpose of carrying the water across during the erection of the permanent work. If the embankment, over which the temporary pipes are to be laid, is necessary to enable the proper construction of the aqueduct, there certainly can be no equitable objection to the use of such embankment to bring the water across during the erection of the permanent work. Were it not that the dam, which has been made for the legal purpose of sinking and erecting the piers, can be used to bring the water to the city, the pecuniary and other interests of the city would prompt a speedy erection of the high aqueduct, and the interruption of the navigation would be for the shortest possible period, with the least detriment to the rights of others; and this would be in strict conformity to the law. This temporary dam and pipes made for the accommodation of the City of New York, cannot be used as a reason why the building of the aqueduct should either be discontinued, suspended, or protracted: or why the obstruction of the navigation should be continued beyond the period necessary to finish the permanent work. The fact that the temporary dam will answer the purpose of the City, is no reason why the law, which is intended to protect the rights and interests of others, should not be enforced.

For the reason that the law of the State and the contract entered into under it, require the erection of a high aqueduct, and of necessity that it should be built in as short a period as is consistent with the proper construction of the work, so

as not unnecessarily to interrupt the navigation of the river, and as the resolution to suspend the work is a voluntary violation of that law, I am constrained to withhold my approval from it.

The objections made to the first resolution are applicable to the second, because the second resolution is only auxiliary to the first. Even if we had the legal power to stop the work, I do not believe there would be a saving of money as stated in this report of your Committee. The only possible saving to the city, if the work should hereafter be continued, would be the difference between the premium which we should have to pay for monies borrowed now, and the lesser premium we might hereafter obtain it for, should money become more plenty.

The sum of $175,000 of interest mentioned by the Committee which would be saved if the work was now suspended, would have to be expended at any time when the aqueduct should be built, as it is the amount of interest that would accrue on monies expended upon the aqueduct while erecting and before it could be used, which would be the same hereafter as now.

ROBT. H. MORRIS.

DOCUMENT No. 82.

BOARD OF ALDERMEN,

APRIL 25, 1842.

Communication from the Comptroller, in answer to resolution relative to Thomas Lloyd, late Collector of the City Revenue. Laid on the table and ordered to be printed.

SAMUEL J. WILLIS, CLERK.

Resolved, That the Comptroller report to this Board, at an early day and all convenient speed, the amount paid into the City Treasury by Thomas Lloyd, the late Collector of the City Revenue, during each quarter of the years 1839, 1840, 1841 and 1842 inclusive, up to the time of his absconding; and also the amount of the City Revenue for each of said years; together with the amount of security given by said Collector, with the names of the said sureties; and that he further report when he first discovered that the late Collector had received any rents which he had not paid into the City Treasury.

Offered by the ALDERMAN 15th WARD.

To the Honorable the Board of Aldermen:

GENTLEMEN—In compliance with the resolution offered and adopted on the 18th instant, I herewith submit a statement of the amounts paid into the City Treasury by Thomas Lloyd, late Collector, from the date of his appointment, to the period when he absconded; and also the amount of the City Revenue for each quarter. The amount of the quarter's revenue is estimated, in consequence of the charges being made yearly in the books of this office, some of the rents being payable quarterly, and some yearly.

A large part of the difference between the total of the charges and the total of the receipts, has been occasioned by charging the rent of five thousand seven hundred dollars for the "timber basin" for two successive years, while no rent has been received from the same, and the lease has been surrendered to the city within a few weeks. There has also been $24,592 91 charged as "Water Lot Rent" during the two past years, with but little expectation of realizing to the Treasury any revenue from it, owing to the legal difficulties attending their collection; and there are also claims to the amount of $14,711 in the hands of the Counsel for collection.

The annexed contains only a statement of the amounts concerned with the Treasury proper. A corresponding statement relative to the Sinking Fund will be prepared with all despatch and submitted, if possible, at the next meeting of your Board.

In answer to that part of the resolution inquiring the names of the sureties and amount of the bond, I would respectfully state, that the amount of the bond is only fivethousand dollars; and is signed by Thomas Lloyd, Joseph D. Baldwin, John V. Greenfield, James H. Houghtailin, Solomon Kipp, and Lewis B. Morrison.

While on this subject, I would respectfully call attention to

the fact (already noticed by his Honor the Mayor,) that so small an amount of security is given, while a dishonest Collector has it in his power within the two first weeks of a quarter, to collect and decamp with near forty thousand dollars; as the ordinances of the Corporation only require him to return an account every two weeks of the money collected by him.

With regard to the period when I "first discovered that the late Collector had received any monies which were not paid into the Treasury," I would state that the first time such fact came to my knowledge was about the fifteenth December last, and the way it came cannot be explained better than by a statement in detail of the facts.

At the death of Mr. Bedient, in September, the ledger containing the accounts of the tenants was not so far posted as to enable the office to judge of the particular cases of the arrears of rent, he having been confined by his last sickness, and having spent some time in the country previous. The Common Council delayed appointing a successor to him until the first day of December. By the laws regulating the Finance Department, these books were under the exclusive management of the Deputy Comptroller; and their character is such, that it is absolutely necessary they should be managed by one and the same hand, as well to prevent unauthorized entries, as to avoid mistakes by misconception of charges growing out of the complex character of the city accounts.

Although desirous of remedying the inconvenience attending the delay, I did not feel at once authorized to employ another hand, and not until it was ascertained that the season had so far advanced that unless these books were immediately attended to, the annual report could not be made within the time prescribed by the Charter, did I assume to put them in other hands than those directed by law.

By the middle of December they were so far posted as to show the state of the accounts, and then the rents were

found considerably in arrears. Upon representation to Mr. Lloyd of the fact, he stated it was impossible to collect, even of those who had heretofore paid on demand. The same representations were at that time made by the tax collectors, who united in expressing their belief that the Corporation would fail to realize the tax within the usual time; one-half of one per cent. was at that time offered by the Board of Supervisors to all tax collectors, on whatever amount they might collect previous to the 21st of December, provided it reached one-fifth of the amount of their book—this, except in a few cases, failed to secure an early return of the taxes.

At this time, without suspicion of the integrity of the Collector, letters were sent with my signature to some of the tenants largely in arrears, requesting them to pay up forthwith; of their being sent the Collector had no knowledge; only one tenant made answer to me or my Clerks, and he stated he had paid up; and when Lloyd was spoken to on the subject, he referred to his book, admitted he had received, and that he had omitted it, but would include it in his next return; he did so; his manner on this occasion, coupled with the fact that no others came with similar complaints, satisfied me he had inadvertently overlooked it. Subsequent inquiries have shown that tenants on receiving the notes, sought out the Collector and asked him why their rents were not returned; he told them he made returns periodically, and that in their order they would be in the next return.

His collections after this period continued small, which he attributed to the depression of the times; and although directed by me to collect by distress, he remonstrated against such an exercise of power, where the rents were perfectly secure. The financial difficulties of the city to be overcome before the fifteenth of February, caused me to be more than usually urgent with all returning officers, and to explore all sources of revenue; and then the idea occurred to me of procuring the addition to the law which was subsequently passed; at the same time, finding that the individual calls

which the Collector must make, in order to collect the revenue promptly, were so numerous as to prevent that efficiency and promptness in his office which was desired, I suggested the sale of the water lot rents, and the passage of a law to authorize the Clerks of the Markets to collect all the market rents, and thus lighten the duty of the Collector.

After the first of February the collections returned, exhibited no improvement; and at this time his delinquencies remained undetected, by the accidental intervention of the Common Council. It is the custom of this office to prepare the *yearly* leases by the first of February, and to call the tenants to the office to execute them; at which time, upon exhibiting their receipts for rent in full, they are entitled to a renewal. An application having been made, by several persons, for the cellars under Fulton Market, to the Market Committee, a resolution of inquiry was instituted in the Board of Aldermen, as to the propriety of instructing the Comptroller to lease all the market cellars at auction. During the pendency of this resolution, which was not disposed of until the seventeenth of March, the respect I owed that body, as well as the manifest propriety of the course, constrained me to withhold the usual notice to the tenants; otherwise the exposure of Lloyd would have taken place early in February, and before he had secured so large a portion of the February rents.

Business of the Corporation required my presence at Albany on the twenty-fourth of March, and when I returned, on the twenty-eighth, I found a letter, bearing the post office stamp of that day, written by Thomas Lloyd, stating that he had abandoned his office because he could not then comply with the provisions required by the new ordinances; having lent a portion of the city funds to his friends, which would take him some time to collect; protesting in this matter, that the city or his securities should not, in the end, lose any thing by him.

A most extraordinary fortune seems to have sheltered him

from discovery. The sickness and death of Mr. Bedient—the time that elapsed before the vacancy was filled—the fact that the tenants on receiving my letters went to *him* for explanations instead of me—and the accidental intervention of the Common Council on the question of the market cellars, all favored him. Had either one of these events not occurred, the chance is his defalcations would have been light, if any; inasmuch as far the largest part of them are on the quarter to February first.

Respectfully communicated.

ALFRED A. SMITH,
Comptroller.

TREASURY ACCOUNT.

Amount of Rents returned, per Thomas Lloyd, in

3	months	ending	Sept.	30,	1839,	$30,994 76		
3	"	"	Dec.	31,	"	25,365 06		
							$ 56,359	82
3	"	"	Mar.	30,	1840,	$29,636 80		
3	"	"	June	30,	"	29,923 24		
3	"	"	Sept.	30,	"	33,861 96		
3	"	"	Dec.	31,	"	38,385 59		
							131,807	59
3	"	"	Mar.	30,	1841,	$24,809 01		
3	"	"	June	30,	"	40,587 56		
3	"	"	Sept.	30,	"	25,417 87		
3	"	"	Dec.	31,	"	22,730 91		
							113,545	35
2	"	"	Mar.	4,	1842,	$13,276 86	13,276	86
							$314,989	62

Estimate of Revenue for corresponding Periods.

For 3	months	end'g	Sept. 30,	1839,	$35,068 37	
3	"	"	Dec. 31,	"	35,068 37	
3	"	"	Mar. 31,	1840,	35,068 37	
3	"	"	June 30,	"	46,544 67	
3	"	"	Sept. 30,	"	37,277 67	
3	"	"	Dec. 31,	"	37,277 67	
3	"	"	Mar. 31,	1841,	37,277 67	
3	"	"	June 30,	"	50,394 39	
3	"	"	Sept. 30,	"	39,486 87	
3	"	"	Dec. 31,	"	39,486 87	
2	"	"	Mar. 4,	1842,	39,486 87	
						$432,437 79

Correct, from books of Comptroller's office.

JOHN J. SERRELL, *Clerk.*

DOCUMENT No. 83.

BOARD OF ALDERMEN,

APRIL 18, 1842.

An Act respecting the Collection of Taxes in the City and County of New York, passed April 11, 1842. *Ordered on file.*

SAMUEL J. WILLIS, CLERK.

AN ACT

RESPECTING THE COLLECTION OF TAXES IN THE CITY AND COUNTY OF NEW YORK.

[Passed April 11, 1842.]

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

§ 1. The Assessors annually chosen in each ward of the City of New York shall, on or before the fifth day of June next, after being chosen, proceed to assess the property in

their respective wards according to law, and shall complete their assessment according to law, on or before the fifteenth day of August next following, and make out one fair copy thereof, to be left with one of their number, on or before the twentieth day of August next following; and shall thereupon, according to law, give notice of having completed such assessment, and that a copy thereof is left with one of such Assessors, (naming him,) where the same may be seen and examined by any of the inhabitants, from the said twentieth day of August to the tenth day of September following, both inclusive; that they will meet at the expiration of the said tenth day of September, at a place in the said notice to be specified, to review their assessment on the application of any person conceiving himself aggrieved, and such proceedings shall thereupon take place as is by law provided. And such Assessors shall sign the said assessment roll, and deliver the same, on or before the twentieth day of September next ensuing, to the Comptroller of the said City, who shall deliver the same to the Supervisors of the said City, at their next meeting; and that for any neglect, omission, or refusal to perform the requirements of this section, the parties offending shall be liable to the penalties mentioned in the eleventh section of the Act of April twenty-third, eighteen hundred and twenty-three, entitled "An Act for the assessment and collection of taxes."

§ 2. The first section of the Act entitled "An Act authorizing a per centage to be added to unpaid taxes in the City of New York," passed April thirteen, one thousand eight hundred and thirty-five, is hereby amended so that the said section shall read as follows: Whenever any tax of any description of the estates, real or personal, of the freeholders and inhabitants of, and situated in, the City of New York, shall remain unpaid on the first day of February next ensuing, the time prescribed by law for the delivery of the assessment roll to the Collectors in the said city, it shall be lawful for the Collectors, whose duty it may be to collect

such tax, to charge, receive and collect, in addition to the amount of such tax, one per cent. on the amount thereof; and to charge, receive and collect upon such tax, so remaining unpaid on the last day of each month, between the month of November and the time prescribed by law for the Collectors in the said city to make their returns to the Chamberlain or Treasurer thereof, a further addition or increase of one per cent. upon the amount of such tax; and such increase or per centage shall be paid over, and accounted for by such Collector, as a part of the tax collected by him.

§ 3. The Act entitled "An Act to amend the Acts respecting the collection of taxes in the City of New York," passed April three, one thousand eight hundred and thirty-nine, is hereby repealed.

§ 4. Any person who may be desirous of paying his tax or taxes previous to the first of February, shall, on paying the amount thereof to the Comptroller of the City of New York, be allowed a deduction therefrom at the rate of six per cent. per annum.

STATE OF NEW YORK, }
Secretary's Office. }

I have compared the preceding with an original Act of the Legislature of this State, on file in this office, and do certify that the same is a correct transcript therefrom and of the whole of said original, (the words "and shall complete their assessments according to law" interlined.)

S. YOUNG,
Secretary of State.

Albany, April 13, 1842.

DOCUMENT No. 84.

BOARD OF ALDERMEN,

MAY 10, 1842.

Report of the Comptroller, on the Accounts of the Chamberlain, for the quarter ending May 1, *A. D.* 1842, *with a full statement of the Funds of the Corporation, its Receipts and Expenditures, up to the ninth day of May. Laid on the table and ordered to be printed.*

SAMUEL J. WILLIS, CLERK.

COMPTROLLER'S OFFICE,
May 9th, 1842.

To the Honorable the Board of Aldermen :

The accounts of the Chamberlain for the quarter ending 30th of April last, have been received and examined with the vouchers in this office. They have been found correct. Copies of the accounts current and certificate of the Cashier of the Treasury Bank, duly authenticated, are appended hereto.

The balance in the Treasury on that day, was as follows :

In the General Fund	$100,340 63
In the Sinking Fund	4,699 99
In the Special Fund	4,944 02
	$109,984 64

The Comptroller avails himself of this occasion to present a full statement of the condition of the City Debt, and of the Funds of the Corporation, as existing on the morning of the date hereof; together with the receipts and expenditures up to that time, from the 1st day of January last. In addition to the balances above reported to be in the Treasury on the 1st instant, there have been received by the Treasurer, up to, and including, the 7th instant, the several amounts as follows:

In the General Fund	$388,293 40
In the Sinking Fund	10,564 08
In the Special Fund	2,120 00

The entire cash means of the Corporation, since the 1st of January, have amounted to $2,346,627 44.

The public confidence, so long reposed in the resources of the city, and in the faith of its citizens, continues firm. Estimates have been received from both the Water and Aqueduct Commissioners, which are annexed hereto, affording the gratifying information, that the further sums required for the aqueduct will amount to but four hundred and seventy-five thousand dollars. Of this amount the Comptroller has already negotiated for two-thirds, and confidently believes that the inconsiderable balance remaining to be negotiated, will be subscribed for without effort on his part, and long before it will be required to be expended; the want of funds, therefore, can be no obstacle in the way of the early completion of the aqueduct.

In the course of the year preceding, the Comptroller, to a

limited extent, issued the temporary obligations of the city to procure means for the aqueduct. He resorted to this policy rather than to that of more permanent loans, with the view of securing to the Commissioners of the Sinking Fund all the permanent Water Stock that should afterwards be issued in place of such temporary loans. For this purpose some progress has been made for rendering available the mortgages and other securities held by the Commissioners of the Sinking Fund. A large amount from this source will be realized before January next, and invested in the permanent Water Stock substituted for the temporary loans; making thereby, to the extent of such investment, a nominal debt. The co-operation of the Common Council was confidently anticipated to assist the Commissioners of the Sinking Fund in this object, by causing some portion of their real estate, and all their quit rents to be sold.

It is desirable that as much money shall be raised within this year, from these sources and for this object, as possible; and the Comptroller does now most respectfully but zealously urge the passage of a resolution by the *present Common Council*, to authorize the sale of the Corporation interests in all their quit rent property at auction, under the direction of the Commissioners of the Sinking Fund.

Whatever may be the amount which the Commissioners may find themselves able in this way to invest, the balance of the temporary loans, if any, can be met, either by renewals for short periods, or by at once funding the amount; the authority for either of which has been already granted by the Common Council.

The financial transactions of the city, since it commenced building the Croton Aqueduct, have been greater than those of many of the States, and perhaps have been exceeded by none. A period of financial difficulty and vicissitude, more unfortunate than that during which this work has been erecting, could not have been selected since the Union was established; and yet the Corporation, with an expenditure ave-

raging one-half a million of dollars per month, has passed onward without discouragement, and maintained its credit unimpaired.

To have built a work at so vast a cost, and without embarrassment or sacrifices, even in ordinary times, would have entitled the Corporation to deserved renown; but to have persevered for six years, during a period of such panic and distrust as have every where prevailed, without pause, self-sustained in spite of obstacles which seem to have broken down the credit of nations, is to have erected for itself a monument of its spirit, its resources, its stable faith and successful enterprize, which may triumphantly challenge all annals for a parallel.

Interesting as the fiscal condition of the city must at all times be to its representatives, it will be enhanced at this time by the knowledge that all the engagements of the Corporation for the municipal year now closing, have been met, and that there not only exists no demand, deferred or delayed, but the year will close with an abounding Treasury.

CITY DEBT, MAY 7, 1842.

New York City Fives, of 1820 and 1829 ...	$ 500,000 00
Public Building Stock	515,000 00
Fire Loan Stock	525,000 00
Fire Indemnity Stock	358,900 00
Floating Debt Stock	300,000 00
Assessment and other temporary Bonds	397,500 00
Water Stock Fives of 1858, 1860, 1870 and 1880	8,721,500 00
Water Stock Sixes, from 1 to 3 years	1,525,502 00
Water Stock Sevens, 5, 10 and 15 years ...	591,560 00
	$13,434 962 00
Less by amount of the same Stocks held by the Commissioners of the Sinking Fund	898,522 00
Carried forward, Total City Debt	$12,536,440 00

Brought forward, Total City Debt	$12,536,440 00
By the revised estimates of the Water and Croton Aqueduct Commissioners, as returned to this office the 5th instant, the further debt to be created to secure the introduction of water at the early period contemplated (July 4) is only	475,000 00
This amount, added to the present debt, will make the City Debt, August 1, 1842, the period when it will have arrived at its maximum	$13,011,440 00

WATER DEBT, MAY 8, 1842.

The items composing the present Water Debt are temporary Bonds above, equal to the Treasury advance to the Water Fund	$ 54,757 30
Water Stock Fives, above	8,721,500 00
" " Sixes, above	1,525,502 00
" " Sevens, above	591,560 00
Total Water Debt, May 7, 1842	$10,893,319 30
To be increased by August 1, 1842	475,000 00
Maximum Water Debt August 1, 1842	$11,368,319 30
Being less than the limit by the State Legislature by	631,680 70
Total Water Stock authorized by the State	$12,000,000 00

PRODUCE OF THE WATER STOCK,—THE WATER FUND.

The Five per Cents., issued for 18, 20, 30 and 40 years, produced to the City Trea-	

sury the nett sum of		$8,185,842 68
(This sale yielded $93 95½ for each $100 of stock, being at the rate of $5 57 per cent., or a fraction over 5½ per cent. interest on par stock.)		
The Six per Cent. Water Stocks, issued for 1, 2 and 3 years, were sold at par, producing the nett sum of		1,525,502 00
The Seven per Cent. Water Loan, issued for 5, 10 and 15 years, was subscribed for at par, producing the nett sum of		591,560 00
Total produce of the Water Stocks ...		$10,302,904 68
There have been other receipts into the Water Fund as follows:		
For rent of land	$3,256 72	
For sale of old pipes	2,568 37	
	$5,825 09	
From which is to be deducted, however, the amount paid for specie to pay interest on the Water Loan during the banks' suspension	2,831 18	2,993 91
		$10,305,898 59

PAYMENTS FOR THE AQUEDUCT—FROM THE WATER FUND.

Payments through the Water Commissioners	$7,484,378 52	
Payments through the Committees of the Common Council and former Water Purveyor	1,462,491 44	
Amounts carried forward ..	$8,946,869 96	$10,305,898 59

Amounts brought forward ..	$8,946,869 96	$10,305,898 59
Payments through the Chamberlain for interest	1,404,722 90	
Payments for contingent expenses	9,063 03	
Total payments to May 8, 1842		10,360,655 89
Debt of the Water Fund to the Treasury		$ 54,757 30

SPECIAL FUND.

Balance on hand January 1, 1842		$12,170 55
Interest and rents received to May 8, 1842		8,032 63
Total		$20,203 18
Paid for February interest on the Fire Loan	$13,125 00	
Paid for insurance of buildings	4 16	
Paid for expenses of foreclosure	10 00	
		$13,139 16
Balance on hand May 8, 1842		$ 7,064 02

SINKING FUND.

Balance in bank January 1, 1842	$ 2,761 49
Received from bonds and mortgages	2,500 00
" " commutation of water lot rent	4,532 19
Received from tax for Floating Debt Stock	18,210 00
" " interest on Stocks	12,935 49
" " licenses	485 00
" " market cellars	2,353 25
" " market fees	5,490 86
" " street vault permits	195 80
Amount carried over	$49,464 08

Amount brought over	$49,464 08
Received from sales of Water Stock	12,560 91
" " ground and house rent	225 00
" " fire loan bond and mortgages	33,450 00
	$95,699 99
Paid out for investments in, and cancellation of stocks of the city, to May 1, 1842	91,000 00
Balance in bank, May 1, 1842	$ 4,699 99
Receipts from May 1 to May 8, 1842	10,564 08
	$15,264 07
Less investments from May 1 to May 8	11,000 00
Balance in bank May 8, 1842	$ 4,264 07

GENERAL FUND.

Receipts from January 1, 1842, *to May* 1, 1842.

Balance in bank January 1, 1842	$ 52,572 03
Tax—From tax of 1841	1,022,339 90
Interest on do.	474 19
Arrears of taxes	12,174 78
Interest on do.	4,922 96
Assessments—Streets opening and widening	39,308 83
Interest on do.	5,338 97
Charges on arrears of assessments ..	542 97
Fencing lots	513 18
Liens on lots	2,914 71
Streets, regulating and paving	17,691 79
Wells and pumps	1,218 94
Docks and slips	1,863 38
Interest	5,892 81
Amount carried forward	$1,167,769 44

Amount brought forward		$1,167,769 44
Loans—Water Loan, Fives		90,000 00
Temporary Water Loan, Sixes		160,981 00
Water Loan, Sevens		366,421 00
Miscellaneous—Alms House ..	$2,525 78	
Foreign poor	5,000 00	
		7,525 78
Commutation of aliens		216 00
Courts	$1,408 44	
Justices' Courts	1,527 72	
Police	853 24	
		3,789 40
Cleaning streets		8,081 08
Mayoralty fees	$190 00	
Watch	1 00	
		191 00
Penalties		584 65
Real estate		4,276 08
Rents		22,031 36
		$1,831,866 79
Receipts from May 1 to May 8, 1842		388,293 40
		$2,220,160 19

GENERAL FUND EXPENDITURES, FROM JAN. 1, 1842, TO MAY 8, 1842.

Redemption of Debt—Floating Debt Stock	$ 50,000 00
Assessment and other temporary bonds	513,447 00
Interest on water loans	254,343 51
Interest on stocks	44,024 21
Trust Accounts—Interest	30,386 02
Charges on arrears of assessments	278 88
Wells and pumps	442 65
Amount carried over	$892,922 27

Amount brought over	$892,922 27
Trust Accounts—	
Streets, regulating and paving	37,138 41
Streets, opening and widening	3,891 21
Liens on lots	380 50
Fencing lots	1,080 69
Water loan expenses	1,035 25
Water pipes	185,515 24
Water Commissioners	331,001 19
Cleaning docks and slips	13 48
Docks and slips	236 10
Improvements—Docks and slips	22,970 87
Lunatic Asylum	5,013 06
Real estate assessments	4,303 35
Roads and avenues	3,750 00
Street expenses	10,074 24
Repairs and supplies	13,250 59
Charities—Alms House	80,000 00
Special Charities	1,075 00
Public schools	715 00
House of Refuge	0 00
Courts—County Courts	19,149 73
Ward Courts	6,500 00
Coroner's fees	2,213 24
Police	20,697 61
Watch	80,226 21
Penalties	1,500 00
Intestate estates	625 00
Board of Health	2,138 91
Cleaning streets	44,838 59
Markets	4,565 28
Lands and places	2,906 00
Lamps and gas	46,140 22
Amount carried forward	$1,825,868 24

Amount brought forward	$1,825,868 24
Fire Department	15,523 87
Public reservoir	8,305 47
Salaries	26,593 52
Printing and stationery	5,281 41
Contingencies	9,805 85
Charges on arrears of taxes	320 75
Elections	601 86
Errors and delinquencies	687 08
Levying tax	3,620 12
	$1,896,608 17

All which is respectfully presented.

ALFRED A. SMITH,
Comptroller.

Probable amount of Funds wanted for Croton Aqueduct, during and including

May—Estimate on unfinished contracts.....			$75,000
Balance on completed contracts			46,000
Incidentals and pipe account, and Engineers			7,000
			$128,000
June—Estimate on unfinished contracts		$80,000	
Balance on completed do.		12,000	
Incidentals and pipe account, and repairs and Engineers.....		7,000	
			99,000
July—Estimate on unfinished contracts		$35,000	
Balance on completed do...		105,000	
Incidentals and pipe account, and repairs and Engineers		8,000—	148,000
			$375,000

Probably $400,000 will pay all requisitions through July.

Estimate of expenses of the Croton Aqueduct Department for five requisitions, commencing May 18, 1842, *and ending July* 14, 1842.

May 18—Requisition.		
Labor and cartage.....	$ 1,850	
Pipes.....	53,527	
Stop-cocks and lead	3,350	
Tools.....	140	
Fuel, timber and incidental expenses.....	200	
Trenches	1,560	
Carried forward	——	$60,627

Brought forward		$ 60,627
June 1—Requisition.		
Labor and cartage.....	$1,850	
Pipes.....	6,167	
Stop-cocks and lead.....	3,560	
Tools	140	
Fuel, timber and incidentals...	200	
Trenches.....	1,720—	$13,637
June 15—Requisition.		
Labor and cartage.....	$ 1,850	
Pipes.....	6,366	
Lead	1,000	
Tools	140	
Fuel, timber, &c.....	200	
Trenches	1,665—	11,221
June 30—Requisition.		
Labor and cartage.....	1,850	
Pipes.....	3,000	
Lead.....	1,000	
Fuel, timber, &c.	200	
Tools	140	
Trenches.....	1,562—	7,752
July 14—Requisition.		
Labor and cartage.....	$1,850	
Pipes.....	3,000	
Lead.....	1,000	
Fuel, &c.....	200	
Tools.....	140	
Trenches.....	690—	6,880
		$ 100,117

The Corporation of the City of New York, in account current with Cornelius W. Lawrence, City Treasurer.

Dr.		Cr.	
To amount paid upon City Warrants from 31st January last, to this day (inclusive) as per weekly returns	$1,464,483 41	By balance, (rendered 31st January last)	$ 85,876 67
To balance to new account	100,340 63	" amount received from all sources from that day to this, as per weekly returns	1,478,947 37
	$1,564,824 04		$1,564,824 04
		By balance from old account	$100,340 63

City Treasury, April 30, 1842.

(Signed.) C. W. LAWRENCE, Treasurer.

The Commissioners of the Sinking Fund of the City of New York, in account current with Cornelius W. Lawrence, City Treasurer.

Dr.		Cr.	
To amount paid upon Commissioners' Warrants from 31st January last, to this day (inclusive,)	$ 90,000 00	By balance, old account, (rendered Jan. 31)	$ 31,682 68
To balance to new account	4,699 99	By amount received from all sources from that day to this, (inclusive,) as per weekly returns	63,017 31
	$94,699 99		$94,699 99
		By balance from old account	$4,699 99

City Treasury, April 31, 1842.

(Signed.) C. W. LAWRENCE, Treasurer.

COMPTROLLER'S OFFICE,
2d May, 1842.

I do certify that I have carefully compared the aforegoing quarterly account current of the City Treasurer with the appropriate books and vouchers of this office, and find it in all respects correct.

P. A. YOUNG,
Deputy Comptroller.

BANK OF THE STATE OF NEW YORK,
May 4th, 1842.

I hereby certify that after the close of business on Saturday last, (April 30th,) the balances herein named were standing on the books of this Bank to the credit of the following accounts, viz: to the credit of the "City Treasurer" one hundred thousand, three hundred and forty dollars sixty-three cents ($100,340 63); to the credit of the "Commissioners of the Sinking Fund" four thousand six hundred and ninety-nine dollars ninety-nine cents ($4,699 99); and to the credit of "Interest on Fire Loan belonging to the Commissioners of the Sinking Fund" four thousand nine hundred and forty-four dollars two cents ($4,944 02.)

(Signed) R. WITHERS, *Cashier.*

I certify that the aforegoing is a true copy of the original certificate on file in this office.

P. A. YOUNG,
Deputy Comptroller.

May 2d, 1842.

RETURNS OF ELECTION,

Held April 12*th*, 1842.

DOCUMENT No. 85.

BOARD OF ALDERMEN,

APRIL 25, 1842.

Election Returns of Election held twelfth April, 1842.
Ordered on file.

SAMUEL J. WILLIS, CLERK.

Clerk's Office,
City and County of New York, ss.

It is hereby certified that the following is a correct return of the officers elected in the City of New York, at an election held therein on the twelfth day of April, 1842, as appears by the official returns on file in my office, viz.:

Robert H. Morris, Mayor of the City of New York.

FIRST WARD.

Calvin Balis ..... Alderman.
Harman C. Westervelt ..... Assistant Alderman.
Otto W. Van Tuyl ..... } Assessors.
Garret Van Zandt ..... }
Oliver Cobb ..... Collector.

George Fisby ..... } Constables.
Robert Silvey ..... }

SECOND WARD.

Caleb S. Woodhull ..... Alderman.
George F. Nesbit ..... Assistant Alderman.
Samuel Gilford, jun. ..... } Assessors.
Elam Williams ..... }
Edward T. Backhouse ..... Collector.
Alfred Roach ..... } Constables.
John Wintringham ..... }

THIRD WARD.

John A. Underwood ..... Alderman.
William Dodge ..... Assistant Alderman.
Asa Hall ..... } Assessors.
Thomas C. Bartine ..... }
Philip Pietch ..... Collector.
Varnum S. Mills ..... } Constables.
John S. Jenkins ..... }

FOURTH WARD.

Robert Martin ..... Alderman.
David T. Williams ..... Assistant Alderman.
James Avery ..... } Assessors.
Jacob F. Oakley ..... }
Edward B. Fellows ..... Collector.
Samuel Bushnell ..... } Constables.
Emanuel Joseph ..... }

FIFTH WARD.

Robert Jones ..... Alderman.
William Adams ..... Assistant Alderman.
Richard Ten Eyck ..... } Assessors.
Elijah P. Horton ..... }
Lewis Katen ..... Collector.
Joseph Jenkins ..... } Constables.
John Beam ..... }

SIXTH WARD.

See return of Inspectors annexed hereto.

SEVENTH WARD.

Charles W. Smith ..... Alderman.
James Nash ..... Assistant Alderman.
David Lyon ..... } Assessors.
Charles F. Way ..... }
John Robins ..... Collector.
John Davis ..... } Constables.
Samuel Jones ..... }

EIGHTH WARD.

David Vandervoort ..... Alderman.
Charles P. Brown ..... Assistant Alderman.
William T. Cox ..... } Assessors.
Gustavus A. Goodrich ..... }
James G. Moffet ..... Collector.
David M. E. Wood ..... } Constables.
Elias D. Brower ..... }

NINTH WARD.

Moses G. Leonard ..... Alderman.
William D. Waterman ..... Assistant Alderman.
John W. Christie ..... } Assessors.
Jonathan O. Wickes ..... }
Ephraim Scudder ..... Collector.
Benjamin D. Wisner ..... } Constables.
Peter Westervelt ..... }

TENTH WARD.

Elijah F. Purdy ..... Alderman.
Daniel Ward ..... Assistant Alderman.
John Corey ..... } Assessors.
Ananias Matthews ..... }
Thomas D. Howe ..... Collector.
Samuel Trenchard ..... } Constables.
Bernard Marren ..... }

ELEVENTH WARD.

Abraham Hatfield ..... Alderman.
Charles J. Dodge ..... Assistant Alderman.
David Ayers ..... } Assessors.
Samuel B. Peeney ..... }
James Waring ..... Collector.
Azel Freeman ..... } Constables.
Enoch Lawrence ..... }

TWELFTH WARD.

See return of Inspectors annexed hereto.

THIRTEENTH WARD.

Hezekiah W. Bonnel ..... Alderman.
Peter Esquirol ..... Assistant Alderman.
Joseph Gillespie, sen. ..... } Assessors.
Edward Donnelly ..... }
Thomas J. Gildersleeve ..... Collector.
Aaron T. Hans ..... } Constables.
William W. Fream ..... }

FOURTEENTH WARD.

John Stewart ..... Alderman.
John B. Scoles ..... Assistant Alderman.
Daniel Ebbets ..... } Assessors.
Thomas Raven ..... }
Nelson Sammis ..... Collector.
Elhanan Martin ..... } Constables.
Nathaniel Finch ..... }

FIFTEENTH WARD.

Henry E. Davies ..... Alderman.
William V. Brady ..... Assistant Alderman.
Martin E. Thompson ..... } Assessors.
Edward Gray ..... }
Joseph Britton ..... Collector.
Samuel Young ..... } Constables.
James Hastin, jun. ..... }

SIXTEENTH WARD.

Edward D. West	Alderman.
Walter Mead	Assistant Alderman.
Benjamin Harker, Samuel Beilby	Assessors.
Robert B. Ruggles	Collector.
William Chapman, Wanton Barney	Constables.

SEVENTEENTH WARD.

Frederick R. Lee	Alderman.
John Pettigrew	Assistant Alderman.
Henry Palmer, George Brown	Aesssors.
Orville J. Nash	Collector.
Benjamin F. Gamble, Henry D. Loomis	Constables.

In testimony whereof, I have hereto subscribed my name, and affixed the seal of the Court of Common Pleas for the City and County of New York, this 23d day of April, A. D., 1842.

NATH. JARVIS, *Clerk.*

We, the undersigned, Inspectors of Election for the several districts of the Sixth ward of the City of New York, deputed according to law, to add together and compute the vote given to each person voted for in the several districts of said ward, and to make a return of the same in the manner required by law, do certify that we have received returns from the several districts of the said ward for the election duly held in said ward, on the twelfth day of April, in the year one thousand eight hundred and forty-two, for the election of Alderman, Assistant Alderman, Assessors, Collector, and

Constables, copies of which returns, certified by us, are hereunto annexed.

And we, the said Inspectors, do further certify, that it is impossible for us to declare what persons were, by the greatest number of votes at the election aforesaid, elected to either of the said offices of Alderman, Assistant Alderman, Assessors, Collector, or Constables of the said ward, by reason of the lawless violence committed upon the Inspectors of the First district of the said ward whilst in the act of counting the ballots taken therein, and the dispersion of the said ballots before they were counted, the history of which is contained in the return of the said Inspectors, a copy whereof is annexed.

In witness whereof, we have subscribed our names this 14th day of April, in the year 1842.

JAMES STEWART,
PATRICK H. O'NEIL,
AARON CLARK,
W. SINCLAIR, Jr. } *Inspectors.*

We, the Inspectors of Election for the First district of the Sixth ward of the City of New York, do certify, that the following is a correct statement of the votes given in the said district, on the 12th day of April, in the year 1842, for the office of Mayor of the City of New York:

The whole number of votes given was four hundred and eight, of which Robert H. Morris received two hundred and twenty-eight votes, J. Phillips Phœnix received one hundred and seventy-six votes, Thomas F. Field received two votes, Isaac L. Varian received one vote, and Blank one vote.

And we do further certify, that the poll for the said district, and for the said election, was held at the house of James Dunn, at the corner of Centre and Duane streets, and after the poll was closed we took the ballot boxes up stairs to a front room, in the corner of said building, in order to count the votes taken in the said district, and had proceeded and compared the poll lists and ballots and corrected the same

according to law, and had also counted and reduced to writing the result of the election in the said district for the office of Mayor, which was as above stated. That we then proceeded to count the ballots cast for the office of Alderman, Assistant Alderman, Assessors, Collector, and Constables, for the said ward, and after opening the ballot box and turning the tickets out upon the table we counted the number of ballots, and after finding that the number corresponded with the poll list, we proceeded to open the ballots and to count said ballots, when suddenly, and without any previous notice, the said room was assailed from without, by missiles of various descriptions, brick-bats, stones, &c., the windows were broken in, and great numbers of persons were collected together on the outside, and many inside of the said house; that the attack upon the said room was so violent and outrageous, and the missiles came into the room so thick and fast that our lives were imminently jeopardized, and we in consternation fled from the said room, and two of us escaping through the rear of said house, and the other seeking refuge and secreting himself in the upper part of said house, leaving the ballots so cast, upon the table in the said room, and after an absence of about half an hour we returned to the said room, and found a number of ballots, some upon the table, and some upon the floor, all in such a condition that it was impossible for us to tell whether or not they were the whole or any part of the ballots, in fact, cast at the said election in the said district; we are therefore unable, for the reasons aforesaid, to make any other return in relation to the number of votes taken in the said district, for the said offices of Alderman, Assistant Alderman, Assessors, Collector, and Constables.

In witness whereof, we have subscribed our names this 14th day of April, in the year 1842.

W. SINCLAIR, Jr.
WILLIAM LYONS,
Inspectors of Election, First District, Sixth Ward.

We, the Inspectors of Election for the Second district of the Sixth ward of the City of New York, do certify, that the following is a correct statement of the votes given for each candidate voted for in the said district, on the 12th day of April, in the year 1842, for the office of Mayor of the City of New York, Alderman, Assistant Alderman, Assessors, Collector, and Constables, for the said ward.

The whole number of votes given for the office of Mayor, was four hundred and forty-five, of which Robert H. Morris received two hundred and sixty votes, and J. Phillips Phœnix received one hundred and eighty-five votes.

The whole number of votes given for the office of Alderman, was four hundred and thirty-six votes, of which Clarkson Crolius, Jr., received one hundred and eighty-nine votes, William Shaler received one hundred and seventy-seven votes, and James Ferris seventy votes.

The whole number of votes given for the office of Assistant Alderman, was four hundred and thirty-three, of which Richard H. Atwell received one hundred and eighty-seven votes, Daniel M. Hogan received one hundred and sixty-seven votes, Thomas S. Henry received seventy-seven votes.

The whole number of votes given for the office of Assessor, was eight hundred and sixty-three, of which Samuel Roome received one hundred and ninety-one votes, John Heath received one hundred and eighty-seven votes, Michael Hanavan received one hundred and sixty-five votes, James Maguire received one hundred and sixty-four votes, Shivers Parker received seventy-four votes, Edward J. M'Gloin received seventy-nine votes, Charles Del Vecchio received one vote, William H. Sparks received one vote, and Edward Bunnell received one vote.

The whole number of votes given for the office of Collector, was four hundred and thirty-four votes, of which Owen W. Brennan received one hundred and ninety-nine votes, James O'Neil received one hundred and fifty-eight votes, Andrew Connolly received seventy-six votes, and William B. Willis received one vote.

The whole number of votes given for the office of Constable, was eight hundred and fifty-eight, of which Philander Fisk received one hundred and ninety votes, Martin T. Waters received one hundred and ninety-one votes, Patrick Burns received one hundred and sixty-five votes, William A. Brown received one hundred and sixty-eight votes, William D. Scally received seventy-three votes, William Nealis received seventy votes, and John Bennett received one vote.

In witness whereof, we have hereunto subscribed our names this thirteenth day of April, in the year 1842.

JOS. P. PIRSSON,
AARON CLARK,
MATTHEW MURRAY,
} *Inspectors of Election.*

We, the Inspectors of Election of the Second district of the Sixth ward of the City of New York, do hereby depute Aaron Clark one of the Inspectors aforesaid, to attend at such place as may be designated by the Common Council, on Wednesday, the 13th instant, between the hours of 12 o'clock at noon and 1 o'clock in the afternoon, and have delivered to him a certified copy of the votes given for each Candidate voted for in said district, on the twelfth day of April, 1842.

Dated the thirteenth day of April, 1842.

JOS. P. PIRSSON,
MATTHEW MURRAY,
} *Inspectors of Election.*

We, the Inspectors of Election for the Third district of the Sixth ward of the City of New York, do certify, that the following is a correct statement of the votes given for each candidate voted for in the said district, on the 12th day of April, in the year 1842, for the office of Mayor of the City of New

York, Alderman, Assistant Alderman, Assessors, Collector and Constables, for the said ward.

The whole number of votes given for the office of Mayor, was five hundred and eighty-three, of which J. Phillips Phœnix received one hundred and twenty-four, Robert H. Morris received four hundred and fifty-eight, James Monroe received one.

The whole number of votes given for the office of Alderman, was five hundred and sixty-eight, of which William Shaler received one hundred and twenty-nine, James Ferris received three hundred and four, Clarkson Crolius, Jr. received one hundred and thirty five.

The whole number of votes given for the office of Assistant Alderman, was five hundred and sixty-five, of which Daniel M. Hogan received one hundred and twenty-two, Thomas S. Henry received three hundred and eight, Richard H. Atwell received one hundred and thirty-five.

The whole number of votes given for the office of Assessor, was eleven hundred and thirty-one, of which James McGuire received one hundred and twenty-one, Michael Hanavan received one hundred and twenty-three, Edward J. McGloin received three hundred and seven, Shivers Parker received three hundred and seven, Samuel Roome received one hundred and thirty-seven, John Heath received one hundred and thirty-five, and Andrew Connolly received one.

The whole number of votes given for the office of Collector, was five hundred and sixty-two, of which James O'Neil received one hundred and twenty, Andrew Connolly received two hundred and ninety-nine, Owen W. Brennan received one hundred and forty, John Carland received one, W. Nealis received one, and George Mills received one.

The whole number of votes given for the office of Constable, was eleven hundred and twenty-one, of which Patrick Burns received one hundred and twenty-four, William A. Brown received one hundred and eighteen, William Nealis received three hundred and four, William D. Scally received

three hundred and two, Philander Fisk received one hundred and thirty-eight, Martin T. Waters received one hundred and thirty-four, and Pat's Busy received one, Blank received three.

In witness whereof, we have hereunto subscribed our names this 12th day of April, in the year 1842.

PATRICK H. O'NEIL, } *Inspectors*
MICHAEL HANAVAN, } *of*
LESTER WILSON, } *Election.*

We, the Inspectors of Election of the Third district of the Sixth ward of the City of New York, do hereby depute Patrick H. O'Neil, one of the Inspectors aforesaid, to attend at such place as may be designated by the Common Council, on Wednesday, the 13th instant, between the hours of twelve o'clock at noon and one o'clock in the afternoon, and have delivered to him a certified copy of the votes given for each Candidate voted for in said District, on the twelfth day of April, 1842.

Dated the twelfth day of April, 1842.

MICHAEL HANAVAN, } *Inspectors.*
LESTER WILSON, } *of Election.*

We, the Inspectors of Election for the Fourth district of the Sixth ward of the City of New York, do certify, that the following is a correct statement of the votes given for each candidate voted for in the said district, on the 12th day of April, in the year 1842, for the office of Mayor of the City of New York, Alderman, Assistant Alderman, Assessors, Collector and Constables, for the said ward.

The whole number of votes given for the office of Mayor, was four hundred and sixty-five, of which Robert H. Morris received two hundred and thirty-six, J. Phillips Phœnix two hundred and twenty-eight, and Thomas F. Field one vote.

The whole number of votes given for the office of Alderman, was four hundred and thirty-eight, of which Clarkson Crolius, Jun. received two hundred and thirty-seven, James Ferris one hundred and twenty, and William Shaler eighty-one votes.

The whole number of votes given for the office of Assistant Alderman, was four hundred and thirty, of which Richard H. Atwell received two hundred and thirty-four, Thomas S. Henry one hundred and nineteen, Daniel M. Hogan seventy-five, George B. Alvord one, and P. S. Brady one vote.

The whole number of votes given for the office of Assessor, was eight hundred and sixty-seven, of which Samuel Roome received two hundred and thirty-five, John Heath two hundred and thirty-five, Shivers Parker one hundred and twenty-two, Edward J. McGloin one hundred and twenty, Michael Hanavan eighty, James Maguire seventy-five votes.

The whole number of votes given for the office of Collector, was four hundred and twenty-three, of which Owen W. Brennan received two hundred and thirty-one, Andrew Connolly one hundred and sixteen, James O'Neil seventy-six votes.

The whole number of votes given for the office of Constable, was eight hundred and fifty-six, of which Philander Fisk received two hundred and thirty-four, Martin T. Walters two hundred and twenty-five, William D. Scally one hundred and twenty-five, William Nealis one hundred and twenty-one, Patrick Burns seventy-five, William A. Brown seventy-five, and John Crowley one vote.

In witness whereof, we have hereunto subscribed our names this 12th day of April, in the year 1842.

JAMES STEWART,
JOHN McGRATH,
JOHN P. WARE,
} *Inspectors of Election.*

We the Inspectors of Election of the Fourth district of the Sixth ward of the City of New York, do hereby depute James

Stewart one of the Inspectors aforesaid, to attend at such place as may be designated by the Common Council, on Wednesday, the 13th instant, between the hours of twelve o'clock at noon and one o'clock in the afternoon, and have delivered to him a certified copy of the votes given for each Candidate voted for in said district, on the 12th day of April, 1842.

Dated the 12th day of April, 1842.

JOHN P. WARE, } *Inspectors*
JOHN McGRATH, } *of Election.*

We, the Inspectors of Election for the First district of the Sixth ward of the City of New York, do certify, that the following is a correct statement of the votes given for each candidate voted for in the said district, on the 12th day of April, in the year 1842, for the office of Mayor of the City of New York, Alderman, Assistant Alderman, Assessors, Collector, and Constables for the said ward.

The whole number of votes given for the office of Mayor, was four hundred and eight, of which Robert H. Morris received two hundred and twenty-eight votes, J. Phillips Phœnix received one hundred and seventy-six votes, Thomas F. Field received two votes, Isaac L. Varian received one vote, and one vote was blank.

The whole number of votes given for the office of Alderman, was three hundred and ninety-five, of which Clarkson Crolius, Jr. received one hundred and ninety votes, James Ferris received one hundred votes, William Shaler received one hundred and three votes, W. Shaler received one vote, and Leonard Cocker received one vote.

The whole number of votes given for the office of Assistant Alderman, was three hundred and ninety-three, of which Richard H. Atwell received one hundred and eighty-six votes, Thomas S. Henry received one hundred and seven votes, Daniel M. Hogan received ninety-eight votes, C. Crolius received one vote, and John Bardell received one vote.

The whole number of votes given for the office of Assessor, was seven hundred and seventy-six, of which Samuel Roome received one hundred and eighty-eight votes, John Heath received one hundred and eighty-eight votes, Shivers Parker received one hundred and seven votes, E. J. McGloin received one hundred and five votes, Michael Hanavan received ninety-three votes, James Maguire received ninety-five votes.

The whole number of votes given for the office of Collector, was three hundred and eighty-four, of which Owen W.

Brennan received one hundred and eighty-nine votes, Andrew Connolly received one hundred and three votes, James O'Neil received ninety-two votes.

The whole number of votes given for the office of Constable, was seven hundred and seventy-one, of which Martin T. Waters received one hundred and eighty-eight votes, Philander Fisk received one hundred and eighty-nine votes, William B. Scally received one hundred and one votes, William Nealis received one hundred and three votes, Patrick Burns received ninety-two votes, William A. Brown received ninety-six votes, Martin Waters received one vote, and P. Fisk received one vote.

In witness whereof, we have hereunto subscribed our names this thirteenth day of April, in the year 1842.

W. B. WORRALL, *Inspector of Election.*

We, the Inspectors of Election of the First district of the Sixth ward of the City of New York, do hereby depute Wade B. Worrall one of the Inspectors aforesaid, to attend at such place as may be designated by the Common Council, on Wednesday, the 13th instant, between the hours of twelve o'clock at noon and one o'clock in the afternoon, and have delivered to him a certified copy of the votes given for each candidate voted for in said district, on the twelfth day of April, 1842.

Dated the thirteenth day of April, 1842.

W. B. WORRALL, *Inspector of Election.*

The undersigned, Inspectors of Election from the several election districts in the Sixth ward of the City of New York, state that they have made returns of the whole number of votes cast in said ward at the Charter Election held in said

City, on the twelfth day of April, 1842, upon which they considered it to be their duty to decide. They state that a riot occurred at the house in which the poll of the First election district was held, and that as there might be some difference of opinion as to the legality of the canvass in said district, owing to a temporary absence of the Inspectors during the riot, they have thought proper to make return of all the votes of all the districts except those of the First district, which they have excluded from the general return of the votes cast in the ward, and have appended to the general return a certified return of *all the votes* cast in said First election district, as they verily believe.

The undersigned further state, that the inclusion or exclusion of the votes of said First district, could not in any way vary the result of the said election, so far as the persons voted for are concerned, and that they have therefore granted certificates to the persons respectively having the greatest number of votes for Alderman and Assistant Alderman of said Sixth ward, as being the only way for themselves conscientiously to perform their duty as Inspectors of Election.

New York, 13th, April 1842.

WADE B. WORRALL, *Inspector of Election* 1*st dist.*
JOS. P. PIRSSON, " " 2*d* "
LESTER WILSON, " " 3*d* "
JOHN P. WARE, " " 4*th* "

We, the undersigned, Inspectors of Election for the several districts of the Sixth ward, of the City of New York, deputed according to law, to add together and compute the vote given to each person voted for in the several districts of said ward, and to make a return of the same in the manner required by law, do certify, that at an election duly held in said ward, on the twelfth day of April, in the year of our Lord one thousand eight hundred and forty-two, for the election of Alderman, Assistant Alderman, Assessors, Collector, and Constables, for the said ward,

The whole number of votes given for the office of Alderman of said ward, was fourteen hundred and forty-two, of which Clarkson Crolius, Junior, received five hundred and sixty-one votes, James Ferris received four hundred and ninety-four votes, William Shaler received three hundred and eighty-seven votes.

The whole number of votes given for the office of Assistant Alderman of said ward, was fourteen hundred and twenty-six, of which Richard H. Atwell received four hundred and fifty-six votes, Thomas S. Henry received five hundred and four votes, Daniel M. Hogan received three hundred and sixty-four votes, scattering two votes.

The whole number of votes given for the office of Assessor of said ward, was two thousand eight hundred and sixty-one, of which Samuel Roome received five hundred and sixty-three votes, John Heath received five hundred and fifty-seven votes, Michael Hanavan received three hundred and sixty-eight votes, James Maguire received three hundred and sixty votes, Shivers Parker received five hundred and three votes, Edward J. McGloin received five hundred and six votes, and scattering four votes.

The whole number of votes given for the office of Collector of said ward, was fourteen hundred and nineteen, of which Owen W. Brennan received five hundred and seventy votes, James O'Neil received three hundred and fifty-four votes, Andrew Connolly received four hundred and ninety-one votes, and scattering four votes.

The whole number of votes given for the office of Constable of said ward, was twenty-eight hundred and thirty-five, of which Philander Fisk received five hundred and sixty-two votes, Martin T. Waters received five hundred and fifty votes, William D. Scally received five hundred votes, William Nealis received four hundred and ninety-five votes, Patrick Burns received three hundred and sixty-four votes, William A. Brown received three hundred and sixty-one votes, and three scattering votes.

We, the said Inspectors, do therefore declare, that the following persons were, by the greatest number of votes, at the election aforesaid, elected to the offices set opposite their respective names, viz:

Clarkson Crolius, Junior, Alderman.
Richard H. Atwell, Assistant Alderman.
Samuel Roome, John Heath, } Assessors.
Owen W. Brennan, Collector.
Philander Fisk, Martin T. Waters, } Constables.

In witness whereof, we have hereunto subscribed our names, this fourteenth day of April, in the year 1842.

JOSEPH P. PIRSSON, W. B. WORRALL, L. WILSON, JOHN P. WARE, } *Inspectors of Election.*

We, the Inspectors of Election for the First district of the Sixth ward of the City of New York, do certify, that the following is a correct statement of the votes given for each candidate voted for in the said district, on the twelfth day of April, in the year for 1842, the office of Mayor of the City of New York, Alderman, Assistant Alderman, Assessors, Collector and Constables, for the said ward.

The whole number of votes given for the office of Mayor, was four hundred and eight, of which Robert H. Morris received two hundred and twenty-eight, J. Phillips Phœnix received one hundred and sixty-six, Thomas F. Field received two votes, Isaac L. Varian received one vote, and one vote was blank.

The whole number of votes given for the office of Alderman, was three hundred and ninety-five, of which Clarkson Crolius, Jr., received one hundred and ninety votes, James Ferris received one hundred votes, William Shaler received one hundred and three votes, W. Shaler received one vote, and Leonard Crocker received one vote.

The whole number of votes given for the office of Assistant Alderman, was three hundred and ninety-three, of which Richard H. Atwell received one hundred and eighty-six votes, Thomas S. Henry received one hundred and seven votes, Daniel M. Hogan received ninety-eight votes, C. Crolius received one vote, and John Bardell received one vote.

The whole number of votes given for the office of Assessor, was seven hundred and seventy-six, of which Samuel Roome received one hundred and eighty-eight votes, John Heath received one hundred and eighty-eight votes, Shivers Parker received one hundred and seven votes, E. J. McGloin received one hundred and five votes, Michael Hanavan received ninety-three votes, James Maguire received ninety-five votes.

The whole number of votes given for the office of Collector, was three hundred and eighty-four, of which Owen W. Brennan received one hundred and eighty-nine votes,

Andrew Connolly received one hundred and three votes, and James O'Neil received ninety-two votes.

The whole number of votes given for the office of Constable, was seven hundred and seventy-one, of which Martin T. Waters received one hundred and eighty-eight votes, Philander Fisk received one hundred and eighty-nine votes, William B. Scally received one hundred and one votes, William Nealis, received one hundred and three votes, Patrick Burns received ninety-two votes, Martin Waters received one vote, P. Fisk received one vote, and William A. Brown received ninety-six votes.

In witness whereof, we have hereunto subscribed our names this thirteenth day of April, in the year 1842.

W. B. WORRALL, *Inspector of Election.*

We, the Inspectors of Election of the First District of the Sixth ward of the City of New York, do hereby depute Wade B. Worrall one of the Inspectors aforesaid, to attend at such place as may be designated by the Common Council, on Wednesday, the thirteenth instant, between the hours of twelve o'clock at noon and one o'clock in the afternoon, and have delivered to him a certified copy of the votes given for each candidate voted for in said district, on the twelfth day of April, 1842.

Dated the thirteenth day of April, 1842.

W. B. WORRALL, *Inspector of Election.*

We, the Inspectors of Election for the Second district of the Sixth ward of the City of New York, do certify that the following is a correct statement of the votes given for each candidate voted for in the said district, on the twelfth day of April, in the year 1842, for the office of Mayor of the City of New York, Alderman, Assistant Alderman, Assessors, Collector and Constables, for the said ward.

The whole number of votes given for the office of Mayor, was four hundred and forty-five, of which Robert H. Morris received two hundred and sixty votes, and J. Phillips Phœnix received one hundred and eighty-five votes.

The whole number of votes given for the office of Alderman, was four hundred and thirty-six votes, of which Clarkson Crolius, junior, received one hundred and eighty-nine votes, William Shaler received one hundred and seventy-seven votes, and James Ferris received seventy votes.

The whole number of votes given for the office of Assistant Alderman, was four hundred and thirty-three votes, of which Richard H. Atwell received one hundred and eighty-seven votes, Daniel M. Hogan received one hundred and sixty-seven votes, and Thomas S. Henry received seventy-seven votes.

The whole number of votes given for the office of Assessor, was eight hundred and sixty three, of which Samuel Roome received one hundred and ninety-one votes, John Heath received one hundred and eighty-seven votes, Michael Hanavan received one hundred and sixty-five votes, James Maguire received one hundred and sixty-four votes, Shivers Parker received seventy-four votes, Edward J. McGloin received seventy-nine votes, Charles Del Vecchio received one vote, William H. Sparks received one vote, and Edward Bunnell received one vote.

The whole number of votes given for the office of Collector, was four hundred and thirty-four votes, of which Owen W. Brennan received one hundred and ninety-nine votes, James O'Neil received one hundred and fifty-eight votes, Andrew Connolly received seventy-six votes, and William B. Willis received one vote.

The whole number of votes given for the office of Constable, was eight hundred and fifty-eight, of which Philander Fisk received one hundred and ninety votes, Martin T. Waters received one hundred and ninety-one votes, Patrick Burns received one hundred and sixty-five votes, William

A. Brown received one hundred and sixty-eight votes, William D. Scally received seventy-three votes, William Nealis received seventy votes, and John Bennett received one vote.

In witness whereof, we have hereunto subscribed our names this thirteenth day of April, in the year 1842.

JOSEPH P. PIRSSON, AARON CLARK, MATTHEW MURRAY. } *Inspectors of Election.*

We, the Inspectors of Election of the Second district of the Sixth ward of the City of New York, do hereby depute Aaron Clark one of the Inspectors aforesaid, to attend at such place as may be designated by the Common Council, on Wednesday, the 13th instant, between the hours of twelve o'clock at noon and one o'clock in the afternoon, and have delivered to him a certified copy of the votes given for each candidate voted for in said district, on the twelfth day of April, 1842.

Dated the 13th day of April 1842.

JOSEPH P. PIRSSON, MATTHEW MURRAY. } *Inspectors of Election.*

We, the Inspectors of Election for the Third district of the Sixth ward of the City of New York, do certify, that the following is a correct statement of the votes given for each candidate voted for in the said district, on the 12th day of April, in the year 1842, for the office of Mayor of the City of New York, Alderman, Assistant Alderman, Assessors, Collector, and Constables, for the said ward.

The whole number of votes given for the office of Mayor, was five hundred and eighty-three, of which J. Phillips Phœnix received one hundred and twenty-four, Robert H. Morris received four hundred and fifty-eight, James Monroe received one.

The whole number of votes given for the office of Alder-

man, was five hundred and sixty-eight, of which William Shaler received one hundred and twenty-nine, James Ferris received three hundred and four, Clarkson Crolius, Jr., received one hundred and thirty-five.

The whole number of votes given for the office of Assistant Alderman, was five hundred and sixty five, of which D. M. Hogan received one hundred and twenty-two, T. S. Henry received three hundred and eight, Richard H. Atwell received one hundred and thirty-five.

The whole number of votes given for the office of Assessor, was eleven hundred and thirty-one, of which James McGuire received one hundred and twenty-one, M. Hanavan received one hundred and twenty-three, E. G. McGloin received three hundred and seven, S. Parker received three hundred and seven, S. Roome received one hundred and thirty-seven, John Heath received one hundred and thirty-five, A. Connolly received one.

The whole number of votes given for the office of Collector, was five hundred and sixty-two, of which James O'Neil received one hundred and twenty, A. Connolly received two hundred and ninety-nine, O. W. Brennan one hundred and forty, John Carland one, Wm. Nealis one, and George Miller one.

The whole number of votes given for the office of Constable, was eleven hundred and twenty-one, of which P. Burns received one hundred and twenty-four, W. A. Brown received one hundred and eighteen, Wm. Nealis received three hundred and four, W. D. Scaly received three hundred and two, Philander Fisk received one hundred and thirty-eight, M. T. Waters received one hundred and thirty-four, Pat's Busy received one, Blank received three.

In witness whereof, we have hereunto subscribed our names, this twelfth day of April, in the year 1842.

LESTER WILSON, *Inspector of Election.*

We, the Inspectors of Election of the Third district of the

Sixth ward of the City of New York, do hereby depute L. Wilson, one of the Inspectors aforesaid, to attend at sueh place as may be designated by the Common Counеil, on Wednesday, the 13th instant, between the hours of twelve o'clock at noon and one o'clock in the afternoon, and have delivered to him a certified copy of the votes given for each candidate voted for in said district, on the twelfth day of April, 1842.

Dated the twelfth day of April, 1842.

LESTER WILSON, *Inspector of Election.*

We, the Inspectors of Eleetion for the Fourth distriet of the Sixth ward of the City of New York, do certify that the following is a correct statement of the votes given for each candidate voted for in the said distriet, on the twelfth day of April, in the year 1842, for the office of Mayor of the City of New York, Alderman, Assistant Alderman, Assessors, Collector and Constables, for the said ward.

The whole number of votes given for the office of Mayor, was four hundred and sixty-five, of which Robert H. Morris received two hundred and thirty-six, J. Phillips Phœnix received two hundred and twenty-eight, and Thomas F. Field reeeived one vote.

The whole number of votes given for the offiee of Alderman, was four hundred and thirty-eight, of whieh Clarkson Crolius, jr. reeeived two hundred and thirty-seven, William Shaler received eighty-one, and James Ferris received one hundred and twenty.

The whole number of votes given for the office of Assistant Alderman, was four hundred and thirty, of which Richard H. Atwill reeeived two hundred and thirty-four, Daniel M. Hogan received seventy-five, Thomas S. Henry reeeived one hundred and nineteen, Geo. B. Alvord reeeived one vote, and P. S. Brady reeeived one vote.

The whole number of votes given for the office of Asses-

sor, was eight hundred and sixty-seven, of which Samuel Roome received two hundred and thirty-five, John Heath received two hundred and thirty-five, Shivers Parker received one hundred and twenty-two, Edward J. McGloin received one hundred and twenty, Michael Hanavan received eighty, and James Maguire seventy-five.

The whole number of votes given for the office of Collector, was four hundred and twenty-three, of which Owen W. Brennan received two hundred and thirty-one, Andrew Connolly received one hundred and sixteen, and James O'Neil received seventy-six.

The whole number of votes given for the office of Constable, was eight hundred and fifty-six, of which Philander Fisk received two hundred and thirty-four, Martin T. Waters received two hundred and twenty-five, William D. Scally received one hundred and twenty-five, William Nealis received one hundred and twenty-one, Patrick Burns received seventy-five, John Crowley received one, and William A. Brown received seventy-five.

In witness whereof, we have hereunto subscribed our names this twelfth day of April, in the year 1842.

JOHN P. WARE, *Inspector of Election.*

We, the Inspectors of Election of the Fourth district of the Sixth ward of the City of New York, do hereby depute John P. Ware, one of the Inspectors aforesaid, to attend at such place as may be designated by the Common Council, on Wednesday, the 13th instant, between the hours of twelve o'clock at noon and one o'clock in the afternoon, and have delivered to him a certified copy of the votes given for each candidate voted for in said district, on the twelfth day of April, 1842.

Dated the thirteenth day of April, 1842.

JOHN P. WARE, *Inspector of Election.*

We, the undersigned, Inspectors of Election for the several districts of the Twelfth ward of the City of New York, deputed according to law, to add together and compute the vote given to each person voted for in the several districts of said ward, and to make a return of the same in the manner required by law, do certify that at an election duly held in said ward, on the twelfth day of April, in the year of our Lord one thousand eight hundred and forty-two, for the election of Alderman, Assistant Alderman, Assessors, Collector, and Constables, for the said ward,

The whole number of votes given for the office of Alderman of said ward, was ten hundred and thirty-two, of which Richard F. Carman received four hundred and eighty votes, and Abraham V. Williams received three hundred and four votes, and Henry Brevoort received two hundred and thirty-four votes, and Richard Carman received five votes, and Henry Brevoot received two votes, and R. Carman received two votes, and R. F. Carman, Henry Brevot, Robert F. Carman, H. Brevoort, and Ridard Carman, each received one vote.

The whole number of votes given for the office of Assistant Alderman of the said ward, was ten hundred and thirty-five, of which George W. Allerson received four hundred and forty-nine votes, and Samuel Osgood received three hundred and ninety votes, and Norman Hickok received one hundred and ninety-two votes, and Normo Hickok, and Norman Hickock, each received one vote.

The whole number of votes given for the office of Assessor of said ward, was two thousand and twenty, of which James Bowley received four hundred and sixty votes, and Abraham Quackinbush received four hundred and thirty votes, and Jeremiah Towle received three hundred and fifty-seven votes, and John P. Dodge received two hundred and eighty-five votes, and John Murry received two hundred and forty-three votes, and Elisha Williams received one hundred and ninety-five votes, and E. Williams received nine votes, and A. V. Backer received six votes, and J. Murry, Joh Mur-

ry, John Mury, Alexander Pabor, Ebenezer Chase, and J. Murray, each received two votes, Joanna Tone, Elitia Williams, Jeremiah Tole, Cornelius Westerfield, Mury, Alexander Paibor, John Murrey, Alex. Pabor, and Simon Pabor, each received one vote.

The whole number of votes given for the office of Collector of said ward, was ten hundred and five, of which Albert V. Backer received five hundred and thirty-six votes, and Peter Randall received four hundred and fifty-seven votes, and A. V. Backer received nine votes, and Dan Carl received two votes, and R. Burling received one vote.

The whole number of votes given for the office of Constable of said ward, was two thousand and forty-four, of which Henry Force received five hundred and sixty-eight votes, and Thomas Smith received four hundred and forty-eight votes, and John Read received four hundred and twenty-nine votes, and Robert Thompson received three hundred and thirty-eight votes, and Thomas Carlon received two hundred and forty-eight votes, and H. Force received three votes, and T. Carlon, R. Thompson, and Thompson, each received two votes, and Thomas Carvill, Thomas M. Force, Thomas Carolan, Tom Smith, Thos. Smith, Thom. Read, J. Reed, Read, and Charles H. Clark, each received one vote.

In witness whereof, we have hereunto subscribed our names, this the thirteenth day of April, in the year 1842.

C. H. CLARK, } *Inspectors of*
GEORGE PARK, } *Election.*

AFFIDAVITS.

Jeremiah Towle, of the Twelfth ward, doth depose and say, that he held a conversation with Mr. Allerton, who received the largest vote for Assistant Alderman of the Twelfth ward, at a public house at Yorkville, on the evening of Thursday, the 14th instant, and in the course of the conversation, deponent stated that there was a report in circulation that the said Allerton was not a resident of the Twelfth ward at the time of the election, and inquired of the said Allerton whether such report was true, and Mr. Allerton replied, that he would not tell a lie to save his seat in the Common Council, that the facts of the case were as follows: that he was preparing a house in the Twelfth ward, but had not as yet moved into it; that his wife had recently been confined, but was not able to move previous to the election; that he still lived in the Sixteenth ward, his wife and family being there. Deponent also inquired whether he had voted in the Twelfth ward last Fall, and was answered in the negative; and deponent further understood the said Allerton to say, that he did not vote at the recent election. Whereupon deponent informed the said Allerton that he considered the votes cast for him were illegal, and that Mr. Osgood would be entitled to his seat; and further this deponent saith not.

J. TOWLE.

Sworn to the 15th day of April, 1842.

F. A. TALLMADGE.

City and County of New York, *ss:* Joseph P. Flynn, of corner Twentieth street and Sixth avenue, being duly sworn,

says, that on Monday evening, the 11th of April, 1842, he went to the Bull's Head, corner of Third avenue and Twenty-fourth street, to pay George W. Allerton, Esq., some money, when this deponent said to Mr. Allerton, "Why, George, they are going to run you for Assistant Alderman, on the whig ticket, in the Twelfth ward," he replied, "Yes, they wanted me to go and sleep in the Twelfth ward this night," this deponent then asked him if he would do it, he replied, "*No.*" This conversation took place between eight and nine o'clock in the evening.

JOSEPH P. FLYNN.

Sworn to before me, this 15th day of April, 1842.

JNO. W. C. LEVERIDGE,
Comm'r of Deeds.

City of New York, } *ss:*
County of New York, }

John Pettigrew being duly sworn, deposeth and says, that he resides at 137 Tenth street, in the City of New York, that on the 13th day of April, 1842, he met George W. Allerton on the corner of Twelfth street and Third avenue, and asked him if he had been elected Assistant Alderman of the Twelfth ward, he replied, he thought not, as a great many of his friends had erased his name, and placed the name of Mr. Osgood on the ticket, because he, (George W. Allerton) did not reside in the Twelfth ward. Deponent then asked him if he did not reside in that ward, to which he answered, his family resided in Third avenue, by Twenty-first street, but that he had a place in the Twelfth ward; the conversation then turned to other subjects, and further the deponent saith not.

JOHN PETTIGREW.

Sworn before me, this 15th day of April, 1842.

FREDERICK R. LEE,
Ald. Seventeenth ward.

Jeremiah Towle, of the Twelfth ward, doth depose and say, that he held a conversation with Mr. Allerton, who received the largest vote for Assistant Alderman of the Twelfth Ward, at a public house at Yorkville, on the evening of Thursday, the 14th instant, and in the course of the conversation, deponent stated that there was a report in circulation that he, the said Allerton, was not a resident of the Twelfth ward at the time of the election, and enquired of the said Allerton whether such reports were true, and Mr. A. replied that he would not tell a lie to save his seat in the Common Council; that the facts of the case were as follows, viz.: that he was preparing a house in the Twelth ward, but had not as yet moved into it; that his wife had recently been confined, but was not able to move; that previous to the election he still lived in the Sixteenth ward, his wife and family being there. Deponent also inquired whether he had voted in the Twelfth ward last Fall, and was answered in the negative; and deponent further understood the said Allerton to say, that he did not vote at the recent election; whereupon deponent informed the said Allerton that he considered the votes cast for him were illegal, and that Mr. Osgood would be entitled to his seat. Deponent does not swear that the above was the exact language of the said conversation, but that it was the substance of it.

J. TOWLE.

SAMUEL BRADHURST.
April 15, 1842.

Samuel Bradhurst being duly sworn, doth depose and say, that he has heard the above affidavit of Jeremiah Towle read to George W. Allerton, and he acknowledged the same to be true.

SAMUEL BRADHURST.

Sworn before me this 16th day of April, 1842.

H. W. MERRITT,
Special Justice, &c.

City and County of New York, *ss:* David I. Chatfield, of said City and County, being duly sworn, says, that he resides in Twenty-first street, near the Third avenue, in the Sixteenth ward of the City and County of New York; that this deponent is acquainted with Mr. George W. Allerton, of said City and County, who resides in the Third avenue, one door above Twenty-first street; that said Allerton has resided there for about ten months last past; that this deponent has repeatedly seen said Allerton about his premises, in the pursuit of his business.

And this deponent further says, that in the latter end of the week last past, he had a conversation with said Allerton, about his place of residence; that said Allerton then informed this deponent that he resided in the Sixteenth ward of the City of New York, but that it was his intention to remove in the Twelfth ward of said City, and was prevented from so doing on account of the sickness of his wife; that said Allerton told this deponent that he would not endanger the life of his wife for all the seats that could be given him.

And further deponent saith not.

DAVID I. CHATFIELD.

Sworn before me, this 18th day of April, A. D. 1842.

ISAAC P. MARTIN,
Com'r of Deeds.

I certify that the preceding are true copies of certain affidavits, filed in my office on the 19th April, 1842.

NATH'L JARVIS,
Clerk of the City and County of New York.

DOCUMENT No. 86.

BOARD OF ALDERMEN,

APRIL 18, 1842.

The following Act of the Legislature was received and referred to the Committee on Laws, &c., with power to print.

SAMUEL J. WILLIS, CLERK.

AN ACT

TO EXTEND TO THE CITY AND COUNTY OF NEW YORK THE PROVISIONS OF THE GENERAL ACT IN RELATION TO COMMON SCHOOLS.

[Passed April 9, 1842.]

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

§ 1. There shall be elected, in each of the wards of the City and County of New York, two Commissioners, two Inspectors, and five Trustees of Common Schools, who shall

be elected by ballot, at a special election to be held on the first Monday of June in each year, by the persons qualified to vote for charter officers in the said wards; and to be conducted in the same manner, by the same Inspectors, at the same ward districts, and subject to the same laws, rules and regulations, as now govern the charter elections in said city.

The Commissioners of Common Schools, so elected, shall constitute a Board of Education for the City of New York; a majority of whom shall constitute a quorum. They shall elect one of their number President of said Board, who shall preside at the meetings thereof, which shall be held at least as often as once in three months; and they may appoint a Clerk, whose compensation shall be fixed and paid by the Supervisors of said City and County.

The Commissioners so elected in each ward, shall be the Commissioners of Schools thereof, with the like powers and duties of Commissioners of Common Schools in the several towns in this State, except as hereinafter provided.

The said Inspectors of Common Schools, so elected in the several wards, shall have the like powers, and be subject to the same duties, with the Inspectors of Common Schools of the several towns of this State, except as hereinafter provided.

The Trustees of Common Schools, so elected in their respective wards, shall be the Trustees of the School Districts which may be formed and organized therein, with the like powers and duties as the Trustees of School Districts in the several towns in this State, except as hereinafter provided.

§ 2. All such provisions of the third, fourth, fifth, and sixth articles of title two, chapter fifteen, part first, of the Revised Statutes, and of the several Acts amending, and in addition to, and relating to, the same, not inconsistent with the provisions in this Act contained, shall be, and the same are hereby declared applicable to the City and County of New York.

§ 3. For all the purposes of this Act, each of the several

wards into which the said City and County of New York now is, or may be hereafter divided, shall be considered as a separate town, and liable to all the duties imposed, and entitled to all the powers, privileges, immunities and advantages granted by the said third, fourth, fifth and sixth articles of title two, chapter fifteen, part first, of the Revised Statutes, to the several towns in this State, so far as the same are consistent with this Act.

§ 4. The forty-fourth section of the Act entitled "An Act to amend the second title of the fifteenth chapter of the first part of the Revised Statutes, relating to common schools," passed May 26, 1841, is hereby repealed; and all the other sections of the said Act, not inconsistent with the provisions of this Act, are hereby declared applicable to the City and County of New York.

§ 5. No compensation shall be allowed to the Commissioners, Inspectors, or Trustees, of Common Schools, for any services performed by them, but the Commissioners and Inspectors shall receive their actual and reasonable expenses while attending to the duties of their office, to be audited and allowed by the Supervisors of said City and County.

§ 6. The said Commissioners of Common Schools, of each ward, are hereby authorized to appoint a Clerk, whose compensation shall be settled and paid by the Board of Supervisors.

§ 7. Whenever the Trustees elected in any ward shall certify in writing to the Commissioners and Inspectors of Common Schools thereof, that it is necessary to organize one or more schools in said ward, in addition to the schools mentioned in the thirteenth section of this Act, it shall be the duty of said Commissioners and Inspectors to meet together and examine into the facts and circumstances of the case; and if they shall be satisfied of such necessity, they shall certify the same under their hands to the said Board of Education, and shall then proceed to organize one or more school districts therein, and shall procure a school house and all

things necessary to organize a school in such district, the expense of which shall be levied and raised pursuant to the provisions of section nine of this Act, and the title to all lands purchased by virtue of this Act, with the buildings thereon, shall be vested in the City and County of New York.

§ 8. Whenever the Clerk of the City and County of New York shall receive notice from the Superintendent of Common Schools, of the amount of moneys apportioned to the City and County of New York, for the support and encouragement of common schools therein, he shall immediately lay the same before the Supervisors of the City and County aforesaid.

§ 9. The said Supervisors shall annually raise, and collect by tax upon the inhabitants of said City and County, a sum of money equal to the sum specified in such notice at the same time and in the same manner as the contingent charges of the said City and County are levied and collected; also, a sum of money equal to one-twentieth of one per cent. of the value of real and personal property in the said city liable to be assessed therein, to be applied exclusively to the purposes of Common Schools in said city; and such further sum as may be necessary for the support and benefit of Common Schools in said City and County, to be raised, levied, and collected in like manner, and which shall be in lieu of all taxes and assessments to the support of Common Schools for said City and County.

§ 10. The said Supervisors shall, on or before the first day of May, in every year, direct that a sum of money equal to the amount last received by the Chamberlain of said City and County, from the Common School Fund, be deposited by him, together with the sum so received from the School Fund, in one of the incorporated banks in the said City and County, (such bank to be designated by the said Supervisors) to the credit of the Commissioners of Common Schools in each of the said several wards, in the proportions to which they shall respectively be entitled, and subject only to the

drafts of the said Commissioners respectively, who shall pay the amount apportioned to the several schools enumerated in the thirteenth section of this Act, to the Treasurer of the societies or schools entitled thereto, or to some person duly authorized by the Trustees of such societies or schools to receive the same.

§ 11. So much of the seventh article of title second, chapter fifteen, part first, of the Revised Statutes, and the several Acts amending and in addition to, and relating to the said article, as is specially applicable to the City and County of New York, and all other Acts, and all provisions therein, providing for, or directing or concerning the disbursing or appropriation of the funds created for, or applicable to, common school education in the City and County of New York, and all and every provision for raising any fund, or for the imposition of any tax therefor, so far as the same are inconsistent with this Act, are hereby repealed.

§ 12. All children between the ages of four and sixteen residing in said City and County, shall be entitled to attend any of the Common Schools therein; and the parents, guardians, or other persons, having the custody or care of such children, shall not be liable to any tax, assessment, or imposition, for the tuition of any such children, other than is hereinbefore provided.

§ 13. The schools of the Public School Society, the New York Orphan Asylum School, the Roman Catholic Orphan Asylum School, the Schools of the two Half Orphan Asylums, the School of the Mechanics' School Society, the Harlem School, the Yorkville Public School, the Manhattanville Free School, the Hamilton Free School, the Institution for the Blind, the School connected with the Alms House of the said City, and the School of the Association for the Benefit of Colored Orphans, shall be subject to the general jurisdiction of the said Commissioners of the respective wards in which any of the said schools now are, or hereafter may be located, subject to the direction of the Board of Education, but under the im-

mediate government and management of their respective Trustees, Managers, and Directors, in the same manner, and to the same extent as herein provided, in respect to the District Schools herein first before mentioned, in said city and county, and so far as relates to the distribution of the Common School moneys, each of the said schools shall be District Schools of the said City.

No school abovementioned, or which shall be organized under this Act, in which any religious sectarian doctrine or tenet shall be taught, inculcated or practiced, shall receive any portion of the school moneys to be distributed by this Act, as hereinafter provided; and it shall be the duty of the Trustees, Inspectors and Commissioners of Schools in each ward, and of the Deputy Superintendent of Schools, from time to time, and as frequently as need be, to examine and ascertain, and report to the said Board of Education, whether any religious sectarian doctrine or tenet shall have been taught, inculcated or practiced in any of the schools in their respective wards; and it shall be the duty of, the Commissioners of Schools in the several wards, to transmit to the Board of Education all reports made to them by the Trustees and Inspectors of their respective wards. The Board of Education, and any member thereof, may at any time visit and examine any school subject to the provisions of this Act; and individual Commissioners shall report to the Board the result of their examinations.

§ 15. It shall be the duty of the said Board of Education to apply, for the use of the several districts, such moneys as shall be raised, to erect, purchase or lease school houses, or to procure the sites therefor; and also to apportion among the several schools and districts provided for by this Act, the school moneys to be paid over to the Commissioners of Schools in each ward, by virtue of the tenth section of this Act; and shall file with the Chamberlain of said City and County, on or before the fifteenth day of April in each year, a copy of such apportionment, and stating the amount

thereof to be paid to the Commissioners of each ward; which apportionment shall be made among the said several schools and districts according to the average number of children over four and under sixteen years of age, who shall have actually attended such school the preceding year. But no such school shall be entitled to a portion of such moneys, that has not been kept open at least nine months in the year, or in which any religious, sectarian doctrine or tenet shall have been taught, inculcated or practiced, or which shall refuse to permit the visits and examinations provided for by this Act.

§ 16. The Commissioners of Schools of the respective wards, when they have received from the Chamberlain of said City and County the money apportioned to the several schools and districts in their several wards, shall apply the same to the use of the schools and districts in their several wards, according to the apportionment thereof, so made by the said Board of Education.

§ 17. The said Commissioners of each Ward shall, within fifteen days after their election, execute and deliver to the Supervisors aforesaid, a bond, with which such sureties as said Supervisors shall approve, in the penalty of double the amount of public money appropriated to the use of the common schools of their respective wards, conditioned for the faithful performance of the duties of their office, and the proper application of all moneys coming in their hands for common school purposes; such bond shall be filed by the said Supervisors in the office of the County Clerk.

§ 18. This Act shall take effect immediately.

STATE OF NEW YORK, }
Secretary's Office, }

I have compared the preceding with an original Act of the Legislature of this State, on file in this office, and do certify that the same is a correct transcript therefrom, and of the whole of said original.

S. YOUNG,
Secretary of State.

ALBANY, April 12, 1842.

DOCUMENT No. 87.

BOARD OF ALDERMEN,

MAY 9, 1842.

Report of the Committee on Lamps and Gas, in compliance with an Ordinance to provide for the accountability of Executive Committees of the Common Council. Ordered on file.

SAMUEL J. WILLIS, CLERK.

The Committee on Lamps and Gas, in accordance of the provision made by ordinance requiring the accountability of executive and other Committees, beg leave respectfully to

REPORT:

That they have authorized a contract to be made with Messrs. D. & A. Kingsland, of this City, for fifteen thousand gallons summer strained sperm oil, at the rate of seventy-six and a half cents the gallon, subject to the usual allowance for casks to be returned. The above contract was authorized

after proposals had been duly advertized, being the lowest price and approved quality.

A contract was also authorized for two hundred oil lamp frames, at the rate of one dollar twelve and a half cents each, to be made with Messrs. I. & K. Dunn, of this city, the proposal being the lowest made to your Committee, after the due advertisement for same.

EDWARD S. INNES,
CALVIN BALIS.

AUG 23 1918

DUE DATE

MAY 3 1 2000

201-6503

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